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ORDINANCES

—OF—

THE CITY OF HOBOKEN,

—FROM THE—

INCORPORATION OF THE CITY TO 1901.

REVISED AND COMPILED

UNDER THE DIRECTION

—OF THE—

COMMON COUNCIL

—BY—

JAMES F. MINTURN,

Corporation Counsel.

DAILY DISPATCH PRINT,

UNION HILL, N. J.

1901.

7.A631

CITY ORDINANCES.

An ordinance to provide for the acceptance and adoption of the revised and recompiled ordinances of the City of Hoboken.

Whereas, the ordinances of the City of Hoboken have been recompiled and revised by the Corporation Attorney in accordance with the provisions of a resolution of the Common Council passed heretofore directing said compilation and revision; and

Whereas, the said ordinances have been submitted by the Corporation Attorney to the Common Council, recompiled and revised in accordance with the direction of the said resolution, and are now before the Council for acceptance and adoption, therefore

The Mayor and Council of the City of Hoboken do ordain as follows:

That the ordinances of the City of Hoboken, as recompiled and revised by James F. Minturn, Corporation Attorney, under and by direction of a resolution of the Common Council of the City of Hoboken heretofore passed, which recompiled and revised ordinances have been submitted to this board for adoption and acceptance, be and they are hereby adopted and accepted as the valid and legal ordinances of the City of Hoboken, to become operative therein upon the approval thereof by the Mayor of the City of Hoboken.

That all ordinances and parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

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AN ORDINANCE

Comprising the

ORDINANCES OF THE CITY OF HOBOKEN.

Be it ordained by the Common Council of the City of Hoboken, as follows:

CHAPTER I.

ESTABLISHING THE CITY SEAL.

SECTION 1. The seal heretofore provided and used by and for the City of Hoboken and which is described as follows: "A view of the old City of Hoboken in the neighborhood of the present Delaware, Lackawanna and Western Railroad freight station, when the same was used as the old Atlantic Garden, with the early City of Hoboken in the background and the hill in the distance, and a ferry-boat entering the slip." Encircling this are the letters "City of Hoboken, N. J. Corporate Seal," which Seal represented as aforesaid is hereunto annexed shall be and is hereby established and declared to have been and now to be the Common Seal of the City of Hoboken.

SEC. 2. The City Clerk shall have the custody of the City Seal, and the same shall be carefully preserved and kept by him, at all times, in his office.

CHAPTER II.

RELATING TO CITY OFFICES GENERALLY.

SEC. 3. The penalties of the official bonds of the offices herein named, shall be respectively as follows: That of the Comptroller, five thousand dollars; that of the Collector of Revenue, seventy thousand dollars;

that of the City Clerk, ten thousand dollars; that of the Street Commissioner, one thousand dollars; that of the City Treasurer, two hundred thousand dollars; that of the City Surveyors, twenty thousand dollars; that of the Corporation Attorney, one thousand dollars; that of the Overseer of the Poor, one thousand dollars; that of the Constable, one thousand dollars; that of the First Assistant City Clerk, two thousand dollars; that of the Second Assistant City Clerk, two thousand dollars; that of the Sinking Fund Commissioners, one thousand dollars.

And such officers shall execute such bonds respectively before they enter upon the discharge of the duties of their said offices respectively, and if any officer shall neglect to execute the bonds herein required of him within twenty days after the date of his election, appointment, or of the confirmation of such appointment, by the Common Council if such appointment be made by the Mayor, his office shall be declared vacant by the Common Council.

SEC. 3*a*. The bonds of all officers shall be drawn by the City Counsel and shall be executed with two or more sureties, conditioned as provided in the charter and ordinances of the City. Such sureties shall justify separately on the back of the bond that they are respectively worth the sums to be stated in their respective justifications, over and above all debts by them owing or incurred, or for which their property is liable or encumbered, at the time of justification, and over and above all exemptions, by law of their property from execution. The sums stated in such justifications on the bond of any officer shall in the aggregate amount to double the penalty of such bond. The execution of such bond shall be acknowledged by the officer and his sureties before some person authorized to take the acknowledgment of Deeds, and a certificate of such acknowledgment made thereon.

The City Clerk shall also endorse and certify on each

bond before the same be filed, the action of the Common Council approving the same, and the time of such approval.

SEC. 4. In case of the death or insolvency of any of the sureties on the bond of any City officer given as aforesaid, the Committee on Finance of the Common Council may require the officer who has given such bond to give a new bond with sufficient sureties as hereinbefore provided and if any officer shall neglect or fail to furnish such new bond when so required, it shall be deemed a sufficient cause for removal from office.

No member of the Common Council shall be surety on any bond given under the provisions of the preceding section, nor shall any City officer herein required to give bonds be surety on the bond of any other officer.

SEC. 5. The offices of all City officers shall be open every day, except Sundays and legal holidays, from nine o'clock a. m. to four o'clock p. m.

SEC. 6. The records, books, files, papers and documents of the City shall during office hours be open to the search, inspection and examination of the public, provided however that if in any case the officer having charge of the same shall deem it conducive to the public interest, he may require the applicant to procure the written permission of the Mayor, who may refuse to give such permission if he deem proper, unless such search, inspection and examination be for the purpose of obtaining information for the prosecution or defense at law of such right, or for the purpose of ascertaining taxes or assessments, and provided that such search, inspection and examination be made under such regulations as the officer in whose custody such records, books and documents may be, shall establish for the safety and preservation thereof.

SEC. 7. All the books, maps, papers, accounts, statements, vouchers and other documents whatsoever in any City office, which may from time to time accumulate therein, or which belong or appertain thereto, shall

be carefully and conviently filed, kept and preserved in the offices aforesaid respectively, and be and remain the sole property of the Mayor and Common Council of the City of Hoboken, and shall not at any time be removed from said offices, except when required for use in the official business of the City, and shall then be returned to the office to which they respectively belong without delay, and each City officer shall see that the requirements of this section are complied with in respect to his particular office.

SEC. 8. All licenses granted by the Mayor and Council, shall be registered in books to be kept in the office of the City Clerk. All permits granted by any City officer shall be registered in books to be kept in the office of the City officer issuing such permit.

SEC. 9. No City officer shall be interested in any contract with the City, or in compensation for work done for, or materials or supplies furnished to the City or to any contractor or other person furnishing the same to the City, nor shall he participate in any profits with such contractor or other person or receive any compensation, commission, gift or other reward for his services, except the salary or fees established by law, or by ordinance or resolution of the Common Council.

SEC. 10. The administrative officers of the City, and all others, if required by the Mayor and Common Council, shall annually on the first day of May, and from time to time when required by the Mayor and Common Council, report to them in writing the condition of their respective offices, and of the business and all matters therein touching the interests of the City, and what business has been finished, and what remains unfinished of the last year.

SEC. 11. All officers advertising for proposals or estimates for contracts shall require such proposals or estimates to be accompanied by the consent in writing of two sureties, who shall at the time of putting in such estimates or proposals qualify as to their responsibility

in the amount of such proposal or estimate, and bind themselves that if the contract be awarded to the person or persons making the estimates or proposals, they will upon its being so awarded become bound as his or their sureties, for its faithful performance, and that if the person or persons omit or refuse to execute such contracts, they will pay to the City of Hoboken any difference between the sums to which he or they would have been entitled upon the completion of the contract, and that which the City of Hoboken may be obliged to pay to the person by whom such contract shall be executed.

SEC. 12. Any officer violating any provisions of Section Nine of this ordinance shall be deemed guilty of misconduct in office, and liable to removal from office therefor. Such officer shall be liable for any violation of any provision of this ordinance by any deputy, assistant, clerk or other subordinate appointed by him; and continuance in office by such officer of any such deputy, assistant, clerk or other subordinate, after knowledge of any such violation, shall be deemed misconduct in office by such officer, and he shall be liable to removal from office therefor.

SEC. 13. The salaries of the City officials hereinafter named shall be as follows:

That of the Comptroller, two thousand dollars per annum, payable quarterly;

That of the Collector of Revenue, twenty-five hundred dollars per annum, payable quarterly;

That of the City Clerk, fifteen hundred dollars per annum, payable monthly;

That of the City Treasurer, two thousand dollars per annum, payable quarterly;

That of the Street Commissioner, twelve hundred dollars per annum, payable monthly;

That of the Corporation Attorney, two thousand dollars per annum, payable quarterly;

That of the Overseer of the Poor, twelve hundred dollars per annum, payable monthly;

That of the First Assistant City Clerk, fourteen hun dred dollars per annum, payable monthly;

That of the Second Assistant City Clerk, twelve hundred dollars per annum, payable monthly;

That of the Recorder, twenty-five hundred dollars per annum, payable quarterly;

That of the Commissioners of Assessment of Taxes, twelve hundred dollars each per annum, payable monthly;

That of the City Physician, one thousand dollars per annum, payable monthly;

That of the Assistant City Physician, one thousand dollars per annum, payable monthly;

That of the License Inspector, fifteen hundred dollars per annum, payable monthly;

That of the Building Inspector, the sum of twelve hundred dollars, payable monthly.

CHAPTER III.

RELATING TO THE CITY CLERK.

SEC. 14. The City Clerk, by virtue of his office, is Clerk of the Common Council, the several committees thereof and of the Board of Police Commissioners, and the Commissioners of Appeals, and it shall be his duty to attend the meetings of the Common Council and of its committees when required, and of the Board of Police Commissioners and Commissioners of Appeals, and keep correct journals and minutes of the proceedings thereof, and record the same in separate books to be kept in his office.

SEC. 15. He shall cause the City Seal to be affixed to such instruments and writings as he may be authorized to do by any ordinance or resolution of the Common Council, or as may be necessary to exemplify any document or record in his office, or to certify any act or paper, which, from the records in his office shall appear to have

been a public act of this corporation or a public document.

He shall not affix the said Seal or permit it to be affixed to any instrument or writing or other paper, except as in this section provided, unless required to do so by some statute of the State.

SEC. 16. He shall have the custody and charge of and shall safely keep all records and documents, reports, papers and maps in proper files in his office, except such as shall pertain to the business of any other department or office or be transferred thereto by order of the Common Council, and shall be entitled to receive ten cents per folio for all copies of papers supplied by him to any person or persons demanding the same.

SEC. 17. He shall cause all the ordinances passed by the Common Council to be carefully and clearly engrossed in books to be provided for the purpose; and when so engrossed the record of each ordinance shall be signed by the Mayor and the City Clerk. He shall engross after each ordinance, a copy, certified by himself, of the proof of the due publication thereof; but his omission to engross any such ordinance or proof of publication thereof as hereby directed, shall not impair or effect its validity in any respect.

SEC. 18. He shall prepare a copy of all ordinances or proposed ordinances which require publication under the City Charter, or the several supplements thereto, and cause the same, properly attested, to be published in the newspapers, and shall file in his office the requisite proofs of such publication.

SEC. 19. He shall cause entire copies of all reports of City officers, other than those provided for in the preceding section, and excepting annual reports which are published in book form, and of committees of the Common Council after they shall have been finally acted upon by the Common Council, together with a statement of the action thereon, to be entered in full upon the minutes of the Council; and he shall cause the said min-

utes to be fully and completely indexed annually.

SEC. 20. He shall have the custody and charge of the general warrant book and shall draw warrants upon the City Treasurer for all bills and claims allowed by the Common Council, all specific appropriations of money made by them and for the payment of the salaries of the City officers, as fixed by ordinance or resolution of the Common Council, and not otherwise provided for.

He shall keep an accurate account in the margin of said warrant book of all warrants attested by him, showing the date, amount and number of each, and in whose favor the same was drawn and the object thereof.

SEC. 21. He shall countersign all licenses granted by the Mayor and Common Council under the charter and ordinances of the City, and receive all money paid for the same.

SEC. 22. He shall cause all resolutions and ordinances passed by the Council to be carefully and fairly engrossed in books to be provided for the purpose within ten days of the passing thereof respectively, together with all assessments referred to the Council for confirmation and adoption.

SEC. 23. He shall without delay present to the Mayor for his approval every ordinance or resolution passed by the Council duly certified, and as soon as practicable after final action shall be had in the passage of any special ordinance or resolution, notify the department or officer of the City to whom such ordinance or resolution may refer of the pasage of the same, and he shall deliver to all committees such resolutions and communications as may be referred to them by the Council.

He shall issue notices to the respective members of the different committees of the Council and to all persons whose attendance may be required upon such committee, when requested so to do by the Chairman thereof, to be served by the sergeant-at-arms of the Council.

SEC. 24. He shall enter in a book to be provided

for that purpose the names of all persons from whom he may receive moneys for the City, the time when received, the amount so received, and the object thereof, and shall render a faithful and distinct account of all such moneys to the Council, at their next stated meeting after receiving the same; which moneys he shall pay over to the City Treasurer immediately upon receiving the same, taking his receipt therefor.

SEC. 25. He shall attend the meetings of the Commissioners of Appeals in cases of taxation, shall keep correct records of the proceedings thereof, and file the same in his office; he shall also file in his office all affidavits presented to the said Commissioners of Appeals. He shall report to the Council at their first stated meeting after the said Commissioners shall have finished their duties a statement of all taxes diminished or increased, by them, showing the name of each person against whom such increase or diminution shall have been made, together with each separate amount so increased or diminished.

CHAPTER IV.

RELATING TO THE ASSISTANT CITY CLERKS.

SEC. 26. The Common Council shall appoint by resolution two Assistant City Clerks whose duty it shall be to assist the City Clerk in the conduct of his office, and who shall be under the direction and control of the City Clerk in the management and control of said office; they shall attend the Council and committee meetings and meetings of such boards and commissions as they may be directed to attend by the City Clerk or by the Chairman of the Common Council.

CHAPTER V.

RELATING TO THE COMPTROLLER.

SEC. 27. There shall be appointed by the Council

a competent person who shall be known as the Comptroller of the City of Hoboken. The said Comptroller before entering upon the duties of his office shall take and subscribe before any officer authorized to administer oaths and affirmations, in this State, an oath or affirmation faithfully to execute the duties of his office to the best of his knowledge, skill and ability.

SEC. 28. It shall be the duty of the said Comptroller to sign all warrants on the City Treasurer; to superintend all fiscal concerns of the City, and to report thereon at the first regular meeting of the Council in each and every month. He shall also keep accounts of all appropriations made to each and every department of the City government, and to require all warrants on the Treasury to state particularly against which appropriation the said warrant is drawn.

SEC. 29. He shall upon receiving a bill or warrant examine the same and if it be for any purpose for which there is no appropriation, or appropriation for which is exhausted, or to which for any other cause he can not give his approval, he shall report the fact to the Council, and the warrant in such case shall not be signed except by special authority or direction of the Council.

SEC. 30. He shall upon the death, resignation, removal or expiration of the term of office of any officer or person who by law may be authorized to receive or disburse moneys of the City, and as often as the Council by resolution may require, to audit and examine the accounts of said officer or person and report the condition of his business to the Council.

SEC. 31. He shall before the payment of any claim against the City to first audit the bill containing or making up said claim with a view to ascertaining whether the supplies charged to the City or services alleged to have been rendered, have been furnished and rendered as stated, and whether the sum or sums demanded therefor are proper, and after so auditing shall return said bill to the department having control of the

appropriation against which said claim is made and against which appropriation the warrant is to be drawn.

SEC. 32. He shall as often as he may deem necessary, or as the Council shall require, suggest plans to the Council, for the improvement, advantage and better management of the City finances; and he shall have control of the fiscal concerns of all the departments, bureaus and officers, a full exhibit of their business and a statement in writing of any and all moneys or property of the said City within the control or in the hands of the said departments, bureaus and officers.

SEC. 33. He shall in case of any default, delinquency or official misconduct, to immediately report the same to the Council, and in order that he may fulfill his duties and make complete audits of accounts, he shall have power whenever he may see fit to examine all books, papers and vouchers pertaining to any and all departments of the City's business, and shall have free and unrestrained access to them for the purpose aforesaid.

SEC. 34. He shall whenever in his judgment the interest of the City shall require, to examine under oath any person presenting a bill of claim against the City for the payment of moneys, and also to examine witnesses and to investigate by other evidence and inquiry all the facts relating to said claim, which, in his opinion, are necessary to establish the accuracy and good faith of said claim, and to ascertain the City's liability therefor.

SEC. 35. He shall keep a regular set of books by double entry in which shall be open and kept as many accounts, under appropriate titles as may be necessary to show distinctly and separately all the receipts and expenditures of the corporation, and all debts due it from others and all record debts, and shall keep said books promptly written and posted up, which books shall at all times be open for inspection by the Mayor and each member of the Council or any citizen of Hoboken.

SEC. 36. He shall keep and file in his office all

deeds, leases and mortgages and assurances of title and all evidences of debt contracts, bonds of indemnity, and all official bonds, except such as the Council shall direct to be deposited elsewhere.

SEC. 37. He shall obtain from the City Treasurer as soon after payment or cancellation as convenient, all bonds, and interest, payments on same, improvement certificates and coupons, for the purpose of keeping a correct record of the same.

SEC. 38. He shall countersign all receipts for money paid into any City department or to any officer of the City, and no receipt or voucher for money paid to the City or of any of its departments of officers shall be considered sufficient or binding upon the City until signed by the officer receiving such money and countersigned by said Comptroller, who shall thereupon enter upon his book for that purpose the date, of said receipt, the name of the person paying said money, the amount thereof, the officer to whom paid, and the purpose for which the same was paid.

SEC. 39. He shall examine and adjust all accounts whatsoever that may be referred to him by the Council or any committee of the Council, in which the City shall be concerned either as creditor or debtor, and shall report to the Council as soon as convenient thereafter, the facts relating thereto, with his opinion when required.

SEC. 40. He shall countersign all certificates, warrants and bonds drawn on the Treasury and signed by the Mayor and Clerk if considered correct and charge them under their appropriate heads.

SEC. 41. He shall supervise the fiscal concern of all departments and officers of the City, and for that purpose shall have full and complete access to all books, papers, documents and records in every department or office, and may require at any time from such departments or officers an account in writing of all moneys and property of the City in their possession or under their

control and shall also apportion to the different funds all moneys collected by the Collector of Revenue and by said Collector paid to the City Treasurer.

SEC. 42. He shall report to the Council immediately upon discovery any default, shortage or delinquency in any of the departments or offices in respect to the matters mentioned in the preceding section.

SEC. 43. He shall compare quarterly the accounts of the Treasurer and all City officers with the vouchers to the same, with the books of his department, and report the result of such comparison with such information as may be proper to the Council at its next meeting thereafter.

SEC. 44. He shall report to the Council within thirty days after its organization in each year a statement of all contracts (excepting street and sewer contracts) made by the City, and not performed or completed, or upon which any moneys may remain unpaid, with the amount remaining unpaid on each.

SEC. 45. He shall advise the Council from time to time as to the condition of all accounts for which appropriations have been made, and accompanying such statement with an account of the moneys which have been drawn on said appropriations, the purpose for which they were drawn and applied, and the cause of any deficiency should it exist, and an estimate of the amount necessary to complete the object of the appropriation.

SEC. 46. He shall compile for publication in pamphlet form within thirty days at least from the first Monday in May in each year, for the information of the citizens of Hoboken, a full and detailed statement showing:

1. The receipts and expenditures of the corporation during the preceding fiscal year, the different sources of the City revenue, and the amount received from each source.
2. The several appropriations made by the Tax Commissioners, the object for which they were made, and the amount

expended out of each appropriation.

3. The amount of City debt both funded and temporary, with the rate of interest payable in each case.

SEC. 47. The office hours of the Comptroller shall be from nine o'clock in the morning until twelve o'clock m. and from one o'clock to four o'clock p. m., but from the tenth day of December until the twentieth day thereof and on such other occasions as the Council may direct, his office hours shall be so co-extensive with those of the Collector of Revenue.

SEC. 48. He shall examine and countersign all receipts for water rents or arrears of water rents given to any person paying on the same by the Water Registrar of the City, and countersign all such receipts and keep a correct and complete record of such payments in a book or books to be provided for the purpose.

SEC. 49. That no receipt given by said Water Registrar or his Assistant shall be valid or binding as between the City and the person paying unless such receipt be presented to the City Comptroller and countersigned by him as aforesaid.

SEC. 50. That it shall be the duty of said Comptroller to examine the books and accounts of the Water Registrar and Treasurer of the Board of Water Commissioners at least once a year or oftener if deemed necessary.

SEC. 51. He shall also examine the books and accounts of the Secretary of the Trustees of the Hoboken Cemetery once every three months.

CHAPTER VI.

RELATING TO THE CITY TREASURER.

SEC. 52. He shall receive, safely keep and disburse, under the direction of the Council, which direction shall be manifested by resolution of the Common Council duly approved by the Mayor, all moneys belonging to the City; he shall keep an accurate account of all receipts and pay-

ments and make return thereof to the Council at their first regular meeting in each month, and shall receive such compensation for his services as shall be fixed by the ordinance providing for the payment of salaries.

SEC. 53. He shall keep a cash book in which he shall enter under the appropriate heads an accurate account of all receipts and expenditures and shall furnish for the use of the Council and Finance Committee a duplicate of the same on the first meeting of each month.

SEC. 54. No money shall be paid out of the treasury except on warrants signed by the Mayor and City Clerk.

SEC. 55. He shall keep a check book on the bank or banks in which the City deposits are made, and on the margin of said book opposite each check that shall be drawn, the amount drawn, and for what purpose, and shall furnish the Council at the first meeting of each month with the bank and check books belonging to the City or his department, with the exact balance in bank noted on the margin of the check book, together with the amount of cash on hand.

SEC. 56. He shall pay with his official check to the order of the person in whose favor it shall be drawn, all warrants on the treasury.

SEC. 57. He shall make a full, true and accurate account of all moneys raised by tax alone for the use of the City since the last annual election, and of the application and expenditure of the same, and deliver said account to the Council not more than thirty nor less than twenty days before the charter election to be filed in the City Clerk's office, and published in the corporation paper prior to said election, and on rendering said account he shall deliver over his vouchers for the same to the City Clerk.

SEC. 58. He shall receive the redemption money for the sale of property sold for taxes and assessments, on the clerk's certificate of the amount to be paid, countersigned by the City Clerk.

SEC. 59. He shall keep in his office a book known as the ledger in which he shall open an account with every

appropriation or fund, in favor of which he shall receive any money, and immediately upon payment of the amount of any warrant of improvement certificate he shall charge the same to the appropriation or fund on which it is drawn, with the number of the warrant or certificate, the date, to whose order it is drawn, and the amount of the same. He shall report to the City Clerk at the end of each month all interest paid by him upon any warrant or certificate, stating therein to what particular fund the same should be charged.

SEC. 60. He shall at the end of every three months from the first Monday in May make out and present to the Council at its first regular meeting thereafter, a full and detailed report of all the receipts and disbursements of the treasury during the quarter. Such report shall contain particularly the names of all persons from whom moneys have been received by him, the time when received, the amount so received, and for what purpose, or on what accounts the several amounts received by him were paid respectively, and such other particulars as may be necessary to complete the said report.

SEC. 61. If any officer or employe of the City or other person shall neglect to report or pay over to the City Treasurer any moneys belonging to the City as required by the charter and ordinances of the City or otherwise, it shall be the duty of the City Treasurer to report the same to the Council without delay.

SEC. 62. He shall keep open his office at the City Hall in said City, and to attend therein from ten o'clock in the forenoon to twelve o'clock noon, and from one o'clock in the afternoon to four o'clock in the afternoon of each and every day of the week except Sundays and legal holidays.

SEC. 63. He shall deposit daily all moneys received by him in such depository as the Mayor and Council may designate in the name of and to the credit of "The Treasurer of the City of Hoboken," and not otherwise.

SEC. 64. That he shall report to the Council at each regular session of the same the condition of each fund,

and once in every month the amount of cash balance on hand or in bank, in each fund.

SEC. 65. He shall pay out and disburse whenever ordered so to do by the Comman Council by a proper resolution, duly approved by the Mayor upon a warrant or draft properly drawn upon him by the City Clerk, in accordance with such resolution of the Common Council, such sum or sums of money as may be directed by such resolution.

CHAPTER VII.

RELATING TO THE COLLECTOR OF REVENUE.

SEC. 66. He shall receive from the Commissioners of Assessment of Taxes the transcript or duplicate of the assessment within ten days after the same shall be made out according to law and the ordinance of the Mayor and Council, and he shall annually on or before the first day of November in each year give notice by advertisement, to be published in the same paper in which the proceedings of the Council are published, for at least one week, and to be set up in at least four of the most public places in the City of Hoboken of the said tax, and that if it be not paid on or before the twentieth day of December the names of delinquents and unpaid taxes will be returned to the City Clerk, to be by him laid before the Council at their next meeting thereafter.

SEC. 67. He shall within sixty days after the receipt of the transcript or duplicate of the said assessment demand payment of the tax or sum assessed on each individual in the City, in person or by notice left at his or her place of residence, and also at the same time give notice of the time and place of the meeting of the Commissioners of Appeal.

SEC. 68. He shall be required to make out two returns of delinquent taxpayers, one of which shall be called a duplicate, which shall be filed by the City Clerk in his office; said returns to be entered in books properly

bound and ruled, which books and the statements therein contained shall be verified by the oath or affirmation of said Collector of Revenue.

SEC. 69. He shall receive the book of delinquent taxpayers when ordered to be returned to him by the Council, and to proceed to collect the same according to law.

SEC. 70. That whenever he pays over to the City Treasurer any moneys it shall be his duty to deliver to said Treasurer a statement showing the fund or appropriation to which the said moneys should be credited. He shall also on the first Monday of each month deliver to the City Clerk a certified statement of all moneys belonging to the City, the County of Hudson or the State of New Jersey, received by him during the preceding month, which statement shall contain the amount so received, and the respective funds to which the same shall be credited.

SEC. 71. He shall keep a cash book containing the amounts collected, from whom received, the date of the receipts, the number of each bill paid, where the party resides. the various purposes for which said taxes were assessed, and the amount of each item, the amount deducted by the Commissioner of Appeal in cases of taxation; the statement for each ward shall be kept separate from the others in said book, and said Collector shall add together the sums contained in each column and place such aggregate sum at the foot of each column through every page. He shall keep a delinquent book which shall contain the names of the delinquents, their residence, the number of their bills, and the amounts thereof, and the amount deducted by the Commissioners of Appeal. The delinquents in each ward shall be placed together and kept separate from those in the other wards, and the said Collector shall add together the sums contained in each column through every page.

SEC. 72. He shall as soon as he receives the Commissioners of Assessment of Taxes books ascertain from the City Clerk the several deductions and alterations made

in the assessment by the Commissioners of Appeal in cases of taxation, and shall note the same on the Commissioners of Assessment of Taxes books in the proper column opposite each bill, and he shall also add together the amounts in each column of taxes paid in arrear, and also the deductions made by the Commissioners of Appeals and place the same at the foot of each column in the Commissioners of Assessment of Taxes books.

SEC. 73. He shall, whenever a tax bill is paid, mark upon it when the same is paid.

SEC. 74. He shall receive from the Council the list and account of the unpaid water rents, and proceed to collect the same according to law; and he shall charge interest thereon at the rate of six per cent. per annum, from the twentieth day of December next preceding the time the same comes to his hands, and also five per centum for collections, and the amount of such arrears of water rent and interest thereon, when collected, he shall pay forthwith to the treasurer of the Board of Water Commissioners and shall take a voucher for the payment thereof, which he shall forthwith exhibit to the City Clerk, and shall at the same time leave with the City Clerk a duplicate thereof to be filed, and the said five per centum for collection, when collected by the Collector of Revenue, he shall pay over to the City Treasurer to be placed to the salary or contingent fund.

SEC. 75. He shall on the first day of May succeeding the time when the certified list of the water rents and penalties remaining unpaid shall have been delivered to him, to make out and deliver to the City Clerk a certified copy of all water rents and penalties remaing unpaid at that date.

SEC. 76. He shall be further charged with the duty of collecting all assessments which may be made and duly confirmed by the Council, according to the provisions of the City Charter, opening, altering, widening, filling up, grading, altering the grade of, refilling, guttering, flagging and paving streets, filling sunken lots, and for all and every public improvement made in the manner

provided by law.

SEC. 77. That immediately after any assessment is confirmed by the Mayor and Council the said assessment shall be placed by the City Clerk in the hands of the said Collector of Revenue, who shall forthwith demand the payment of the sums due thereon from the persons who are by law required to pay the same, and shall open an account with the same in books to be provided for that purpose, he shall also prepare a condensed recapitulation of the same and caused to be transcribed into a book to be called "The Record of Assessment," containing the name of the street on which each lot is situated, with the street and assessment, number of each lot, the name of the person to whom it is assessed, the dimensions of each lot, the amount of assessment to each lot, and the total thereof, and the time of confirmation; said book shall also contain marginal blanks opposite each name for date of payment of principal and interest to be filled in when collected; he shall within sixty days from the date of receiving the said assessment cause a duplicate of the said condensed recapitulation to be made containing the amounts which he may have received, together with the name of the delinquents and the amounts due from them respectively, to which shall be attached an affidavit that the items therein named are true, and that payment thereof had been duly demanded as hereinbefore directed, and deliver the same to the City Clerk. All moneys by him collected on any assessment so placed in his hands shall be paid over by him to the City Treasurer.

SEC. 78. He shall, in case any assessment named in the preceding section of this ordinance shall remain unpaid for thirty days after confirmation thereof by the Council, and the parties owing the same shall be willing to make payment thereof at any time before the real estate shall be advertised for sale, to collect in addition to the amount of such assessment interest to be computed at the rate of twelve per centum per annum, from the time of confirmation of such assessment until the same be paid.

SEC. 79. He shall prepare lists of arrearages of taxes, assessments for opening or improving streets, assessments for sewers and water rents, for advertisements in the corporation newspaper of the sales of real estate, and also to prepare the schedule necessary to a sale of any of the lands, tenements and real estate of any of the delinquents, and place the same in the hands of the City Clerk at least three days before the time appointed for sale, and that the said list in this section first above named shall contain an accurate description of such lands, tenements and real estate as the same are assessed to each of the owners thereof, with the name of the person to whom it is assessed, and the name of the reputed owner, the number of the lot and block, the name of the street on which said lots front or along which the same may extend, the size of the lot and the amount of tax assessment or water rent for which the same may be ordered sold.

SEC. 80. That in case all the amounts shall not be paid on any assessment for taxes, assessments for improvements, services, or water rents above mentioned, and the same shall be advertised as the City Charter requires, he is authorized to collect the unpaid assessments on the property advertised, by adding interest at the rate of twelve per centum per annum, and costs incurred, and to enter such correction in the records of assessments in the manner provided by this ordinance until within six days of every such sale.

SEC. 81. He shall in addition to the requirements hereinbefore set forth answer and obey all and singular the direction of any resolution of the Mayor and Council to him directed in relation to the revenue of the City, or papers or copies of papers which may be or remain in his custody.

SEC. 82. He shall occupy such office for the transaction of his business as may be from time to time assigned to him by the Mayor and Council, and his said office shall be kept open from ten o'clock to twelve o'clock in the forenoon and from two o'clock to four

o'clock in the afternoon of each day, Sundays and legal holidays excepted, during which time he shall attend and transact the duties pertaining to his said office; provided the last mentioned clause shall not be held to apply to the month of November, during which time he shall be engaged serving notices as required by the sixty-seventh section of this ordinance; and provided further that from the tenth day of December to the twentieth day of the same month in every year his said office shall be kept open from nine o'clock in the morning until nine o'clock in the evening of each day, to receive such moneys as may be offered in payment of taxes.

SEC. 83. That for neglect or failure or refusal to perform any of the duties imposed upon him by this ordinance he shall forfeit and pay a penalty of fifty dollars for each and every neglect, failure or refusal.

SEC. 84. He shall at least once every week and as much oftener as may be necessary to comply with the seventy-third section of this ordinance, pay over all moneys by him collected to the officer entitled to receive the same.

SEC. 85. He shall keep a daily cash book to be provided for that purpose in which he shall enter all moneys received by him, together with the names of the persons claiming the same, and a description of the property, and whether the same had been paid on account of taxes, water rents and assessments, and also all disbursements by him, and to whom the same may have been made, which said book shall be balanced daily and open to public inspection.

SEC. 86. He shall receive for his services, as hereinbefore provided, the sum of twenty-five hundred dollars, and the sum of five per centum on all poll tax and personal taxes collected by him after the twentieth day of December in each and every year.

CHAPTER VIII.

RELATING TO THE CORPORATION ATTORNEY.

SEC. 87. The Corporation Attorney shall have the charge of and conduct the law business of the corporation, and all other business in which the City shall be interested, when so ordered by the Council, and shall have the charge of and conduct the legal proceedings necessary in opening, widening or altering streets, and draw the leases, deeds, contracts and other papers connected with the affairs of the City.

SEC. 88. He shall from time to time, when required, advise the Mayor and Council and their committees and officers respectively, upon all matters which may be submitted to him for his opinion.

SEC. 89. He shall draw such ordinances as may be required of him by the Council or any committee thereof.

SEC. 90. He shall, when required by the Council, prepare the draft of any bill to be presented by the Corporation of the City to the Legislature for passage, with a proper memorial for the passage thereof.

SEC. 91. He shall prosecute and defend, as the Attorney and Counsel of the Corporation, all actions which may be brought by or against it, or any officer thereof, for or by reason of any matter or duty connected with or growing out of their respective offices, or in which the Corporation is interested in any court in this State, including actions for violations of the ordinances of the Council or arising under the Charter of the City or under the laws of this State in which the City is interested.

SEC. 92. He shall, on the first regular meeting of the Council in the months of November and May in each year, report to the Council the titles of all actions in his hands, prosecuted or defended by him and then pending and undetermined, with such other information in respect thereto as he may deem necessary or proper.

SEC. 93. The salary to be paid to the Attorney to the Corporation, as heretofore mentioned, shall be a full

compensation as between him and the Corporation for all the service he may be required to render by this ordinance; he shall, nevertheless, be entitled to receive the taxable costs in all actions and proceedings which may be conducted, prosecuted or defended by him as such Attorney.

SEC. 94. Upon the expiration of his term of office, or his resignation thereof, or removal therefrom, the Attorney to the Corporation shall forthwith on demand deliver to his successor in office all deeds, leases, contracts and other papers in his hands belonging to the Corporation or any of its officers and all papers in actions prosecuted or defended by him then pending and undetermined, together with his register thereof, and the proceedings therein, and written consent of substitution of his successor in all such actions then pending and undetermined.

SEC. 95. In all actions which he is required to prosecute he shall appear as the Attorney and Counsel to the Corporation.

SEC. 96. He shall institute an action in any of the cases in this ordinance mentioned when instructed to do so by the Council or any committee thereof, or upon the complaint of any other person, when in his judgment the public interest requires that the same should be prosecuted.

SEC. 97. He shall be furnished by the City with the suitable docket or dockets in which he shall keep a register of all actions prosecuted or defended by him of proceedings had thereon. The said docket or dockets shall be and remain the property of the City.

SEC. 98. The City Counsel is authorized to employ such additional counsel to aid in the trial or argument of such cases or proceedings of importance in which the City may be a party or be interested, and shall be approved by the Committee on Finance of the Common Council.

SEC. 99. He may compromise, with the advice and consent of the Mayor and of the Committee on Finance

of the Common Council, with the party complained of, either before or after an action shall have been brought for any violation of the City ordinances where the penalty does not exceed twenty-five dollars and where in their judgment the public interest does not require that an action should be prosecuted therefor.

SEC. 100. He shall not bring an appeal in any action in which judgment shall have been given against the Corporation except by direction of the Council.

SEC. 101. He shall, on the first Monday in the months of November and May in each year, report to the Treasurer a statement under oath of the actions instituted by him and settled before judgment, of the complaints compromised by him in which no action shall have been commenced, and of all actions prosecuted to judgment with the result thereof, whether for or against the Corporation, and if so, whether it has been collected, and shall include therein a particular account, item by item, of all penalties or other moneys which he may have received for the Corporation, and from whom they are received respectively, and on what account, and when paid, he shall also state therein, item by item, an account of officers' or court fees paid by him and on what account and when they were respectively paid, and shall exhibit at the foot of the account the balance thereof, whether for or against the Corporation.

SEC. 102. If the account shall exhibit a balance in his hands in favor of the Corporation, he shall forthwith pay over such balance to the Treasurer and shall thereupon receive from the said Treasurer a voucher for the payment thereof, which he shall forthwith exhibit to the City Clerk, and shall at the same time leave with him a copy thereof.

SEC. 103. If the account exhibit a balance against the Corporation the Council, upon being satisfied of the correctness thereof, shall certify the same, which shall authorize a warrant to be drawn, according to the form of the Charter, for the amount of such balance.

SEC. 104. Every officer employed by the Corporation

Attorney to serve process in an action brought by him in the name of the Corporation, shall pay to the Corporation Attorney all moneys which he may receive, both for penalties and costs upon judgment, and he shall at least once in every month, pay every officer so employed by him his legal fees and costs.

CHAPTER IX.

RELATING TO CITY SURVEYORS.

SEC. 106. That the Mayor and Council of said City shall by resolution appoint so many City Surveyors, as the Council shall from time to time deem necessary.

SEC. 107. That one of said City Surveyors shall be selected by the Council after his appointment and be designated as Street Surveyor, whose duty it shall be in addition to the duties hereinafter enumerated to be performed by the City Surveyors, to examine the site of every building about to be erected within the limits of the City of Hoboken, when requested so to do by the owner or builder thereof, and to locate and mark the street line, and also to ascertain and mark the grade of the street line in front of the lot on which such building is about to be erected, and to give such owner or builder a certificate in writing that such lines are the street lines and grade lines of the said lot and said street, of which certificate or record shall be made and kept in the office of said Surveyor, which record shall be open to the inspection of any City officer for which service the said Surveyor shall be entitled to charge and receive a fee of five dollars to be paid by the person at whose request said services were performed.

SEC. 108. That if any building which was not before located by the Street Surveyor shall project into the street beyond the line or range of the street or avenue whereon the same may front or be bounded, it shall be the duty of the Street Surveyor, by resolution of the Council, to notify the owner or builder thereof to cause

the said building to be removed to the line or range of such street or avenue within six months after service of such notice, and in case the directions of said notice shall remain uncomplied with the owner or builder shall jointly or severally forfeit and pay the sum of twenty dollars, and a further penalty of five dollars for every twenty-four hours during which after the first conviction such directions shall remain uncomplied with.

SEC. 109. It shall be the duty of such of the City Surveyors as may be requested by the appropriate committee of the Council to find and work out the line or lines of all avenues, streets, lanes, alleys, wharves and piers, and public lands or parks, and the proper grades, to fix monuments for such lines and grades, find and make the lines of all improvements to be made, and perform such other duties as may be required of them, and suggest to the Commissioners of Assessments such matters as they may deem advisable in any of said improvements and aid them on all such occasions with their professional knowledge or skill.

SEC. 110. It shall be the duty of one of the City Surveyors, who shall be designated by the Council for that purpose, to superintend any street improvements; in such case he shall first make a profile map of the centre line of such street, showing the actual grade or surface line of the street, as it is at the time of making such survey, and also showing the true established grade line to which the street is to be brought, and he shall also estimate the approximate amount of excavation and filling necessary for each improvement, and enter the same in figures on said map, which said profile maps shall be filed in the City Clerk's office before advertising the proposal of contractors for such improvement, and the said profile maps shall be a public record.

SEC. 111. The said Surveyor shall make an accurate cross-section in front of every lot, the elevations to be taken at every irregularity of the ground, and he shall make full and complete notes, memoranda, etc., thereof, which said notes and memoranda shall be filed with the

profile map in the office of the Clerk of the City, and at the same time, and shall be in a like manner a public record.

SEC. 112. He shall draw specifications stating fully the manner in which the work shall be done, and the quality of the materials to be used in and for such improvements, and file the same in the City Clerk's office at the same time of filing the profile map mentioned in Section 110, which shall also be a public record.

SEC. 113. It shall be the duty of the City Surveyor superintending any street improvement at the request of the proper committee or inspector of such work, to ascertain and mark with stakes all lines and grades necessary to be known in order to carry on and complete said improvement according to specification and contract, and furnish to the contractor or contractors a true copy of the specifications for such work on each improvement or contract.

SEC. 114. That the fees of the City Surveyors for any labors performed within the limits of said City shall be as follows, that is to say: For surveying land, running lines, grades, etc., per day of ten hours for Surveyor or Engineer with instruments, nine dollars; for first assistant, three dollars and fifty cents; for each additional assistant, two dollars and fifty cents; for draughtsman, five dollars. For locating lots in Hoboken: For one lot, seven dollars; for two lots adjoining each other, ten dollars; for three lots adjoining each other, twelve dollars; for four lots adjoining each other, fifteen dollars; for each additional adjoining lot, one dollar; for giving grade for one lot, five dollars; for giving grade for two lots, six dollars; for giving grade for three lots, seven dollars; for giving grade to four lots, eight dollars; for each additional adjoining lot, fifty cents; for giving grade at the time of locating, one dollar per lot up to four lots and fifty cents for each additional or adjoining lot. The preliminary and final survey in the filling of sunken lots, setting stakes, giving grades and estimate of the amount of filling required: For the first lot, ten dollars; for each

additional lot, five dollars and fifty cents.

SEC. 115. For all public work or improvements the City Surveyor's fees shall be at the following rates, viz: On all improvements, the cost not exceeding ten thousand dollars, four per cent.; on the cost over ten thousand dollars and not exceeding fifteen thousand dollars, three and one-half per cent.; on the cost over fifteen thousand dollars and not exceeding twenty thousand dollars, three per cent.; on the amount or cost exceeding twenty thousand dollars, two per cent.

SEC. 116. After any improvement is completed the Surveyor in charge shall run a test level over the curb to ascertain if the said curb and other parts of the improvement have been brought to a proper grade, and shall measure up on the ground all curb, gutter, flagging, paving, bridge-stone, etc., used in front of each lot and at the intersection of streets on the line of said improvements, and he shall make full and complete memoranda of the same, and shall file the same with the City Clerk, and such memoranda shall be a public record.

SEC. 117. That any forfeiture or penalty arising under this ordinance may be recovered before the Recorder of this City in the manner provided by the City Charter for other trials for breach of ordinance and the recovery and forfeiture or penalties, and the penalties so recovered shall be paid into the City treasury.

CHAPTER X.

RELATING TO CITY PHYSICIAN AND ASSISTANT CITY PHYSICIAN.

SEC. 118. That there shall be appointed by the Common Council of the City of Hoboken an officer to be called the City Physician, and another officer to be known as the Assistant City Physician, who shall be resident citizens in regular practice within the limits of the City of Hoboken at the time of their appointment.

SEC. 119. The said City Physician and the Assistant City Physician shall be under the immediate jurisdiction and direction of the Committee on Alms of the Council, and said officers shall render all necessary professional aid and skill to all indigent persons and paupers residing in the City of Hoboken, as may call upon them for that purpose, or such as the Overseer of the Poor, under the direction of the Committee on Alms, may direct. The respective duties of the City Physician and Assistant City Physician and their particular departments or professional service to the City shall be outlined by and under the direction of said Committee on Alms.

SEC. 120. When the said Physician shall be called upon to attend indigent persons and shall deem it necessary to have such person or persons removed to the poor house or hospital or such other place as may be established by law for the reception of paupers, the said Physician or either of them shall notify the Overseer of the Poor in writing, stating the reason for such removal, and the Overseer of the Poor shall immediately investigate the case, and if found necessary, with the approval of the Committee on Alms, they shall cause such indigent person to be removed to the poor house, hospital or other place established by law for the reception of paupers.

SEC. 121 It shall be the duty of the said City Physician and Assistant City Physician to render to the Common Council,quarterly, at the first meeting of the Common Council in the months of May, August, November and February in each year, a statement containing the name, age, condition, married or single, residence, nativity, whether citizen or alien, disease, and termination of the disease of each pauper or indigent person attended during the preceding last quarter.

SEC. 122. It shall be the duty of the said Physician to attend the meeting of the Committee on Alms whenever notified to attend by the chairman of said committee, and to render to said committee such information and assistance as may be required.

SEC. 123. The City Physician and the Assistant City

Physician may be removed for mal-practice and neglect of duty or for any just cause after notice and hearing according to law, and shall hold office from the first Monday in May after their appointment until their successors shall be appointed and sworn into office, unless sooner removed.

CHAPTER XI.

RELATING TO LICENSE INSPECTOR.

SEC. 124. There shall be appointed by the Council a competent person who shall be known as the "License Inspector," who shall hold office for the term of three years after his appointment.

SEC. 125. It shall be the duty of said License Inspector to ascertain the number of licenses granted by the Council and actually in use, and report the same to the Mayor and Council at least once a year, together with the names of the licensees and the places licensed.

SEC. 126. It shall be the duty of the License Inspector, whenever necessary, to report to the Committee on Licenses of the Council, all licensed places that in his judgment are objectionable or disorderly, and the nature of the objection and disorder.

SEC. 127. It shall be the duty of the said License Inspector to investigate all applications for licenses referred to him by the Council or the Committee on Licenses of the Council, and report the result of his investigation at the next meeting of the Council.

CHAPTER XII.

RELATING TO THE STREET COMMISSIONER.

SEC. 128. The Street Commissioner shall have supervision over all the streets, avenues, roads, highways, public lanes and alleys, public parks and squares, sewers and drains, bridges, wharves, docks and slips, and public

places of the City, and repairs thereto, and, under the instruction of the City Surveyor, of the improvement made under and by virtue of any ordinance of the City, or by any order of the Common Council, or of any authorized committee thereof.

SEC. 129. He shall have power to remove, or cause to be removed, any obstructions or incumbrances from all the streets, avenues, roads, highways, public lanes and alleys, public parks and squares, bridges, wharves and public places of the City. He shall report and make complaint of the person causing any such obstruction or incumbrance to the Recorder of the City of Hoboken.

SEC. 130. He shall have power to grant permits to builders and others to occupy not to exceed one-third of the width of the carriage way of any street or avenue with building material, if in his opinion the public interest and convenience will not suffer thereby. All such permits shall expressly provide that they are given upon condition that the sidewalks and gutters shall at all times be kept clear and unobstructed, and that all dirt and rubbish shall be promptly removed from time to time by the party obtaining such permit; and all such permits shall be revoked by him at pleasure.

SEC. 131. It shall be the duty of the Street Commissioner, by order of the Common Council and under the direction of the Committee on Streets, to cause the streets and highways to be properly cleaned from time to time, and to be kept in good repair; and to that end he shall report to the said committee or to the Common Council whenever in his opinion any action is necessary in relation thereto.

SEC. 132. It shall be his duty, by order of the Common Council and under the direction of the Committtee on Sewers, to cause the public sewers and drains to be properly cleaned from time to time and to be kept in good repair; and to that end he shall regularly and carefully examine the same at least once in three months, and report the state and condition thereof to said committee or to the Common Council.

SEC. 133. It shall be his duty, by order of the Common Council and under the direction of the Committee on Public Grounds, to cause the public parks and squares and all other public grounds belonging to the Corporation, to be kept at all times in good and proper condition, and to superintend all necessary grading thereto, and the planting and the trimming of ornamental and shade trees thereon.

SEC. 134. He shall enter in suitable books to be kept in his office an account of all the expenditures of his department authorized as aforesaid, and of each separate branch for which distinct appropriations shall be made. He shall in no case incur any expense for any object for which an appropriation shall not have been made. He shall keep an accurate account in said books of the names of all persons employed by him, the work upon which they shall be engaged, the time during which they shall be employed, and the amount of wages severally paid to them, with the date of each payment.

SEC. 135. He shall examine the estimates for work done by contract prepared by the City Surveyor and duly certified by him, and approve the same prior to the presentation thereof to the Common Council.

SEC. 136. At the end of each month he shall make out and present to the Common Council at its first regular meeting thereafter, a full and true account of all moneys belonging to the City received and paid out by him during the month, showing particularly the amount in his hands at the beginning of the month and the amount received by him from the City Treasurer during the month, the amount expended by him in the several branches of expenditure and the balance remaining in his hands at the end of the month; said report and the cash book of the said Commissioner shall be presented to the Comptroller for examination and verification before the said report is presented to the Common Council.

SEC. 137. He shall keep, in his office a complaint book, wherein shall be entered all matters of complaint made to him at his office aforesaid, relating to the condi-

tion of the streets, avenues, roads, highways, public lanes and alleys, public parks and squares, sewers and drains, and public places of the City. He shall ascertain the facts in relation to all such matters in complaint, and take such action thereon as may be necessary and proper in the faithful discharge of his official duties.

SEC. 138. It is hereby made the duty of the Street Commissioner whenever granting a permit for any excavation, opening or disturbance of the pavement of the carriage-way or any street, avenue, public place or alley in the said City of Hoboken, or sidewalk thereof, except in cases where such opening, excavation or disturbance shall be directly authorized by law, to require of the person or persons by whom or for whose benefit any excavation or opening is to to be made, for any purpose whatever, a deposit of such sum of money as shall be deemed sufficient to cover and pay all the expenses on the part of the street department of furnishing such material, doing such work and taking such means as shall be required to properly restore and secure against sinkage the streets and sidewalks, pavements, curb and flagging necessary to be replaced in consequence of making such excavation, opening or disturbance, which deposit shall be a full discharge of all liability and claim against the person or persons making such deposit and payment for the work herein provided for and required of the street department. It is understood that the flagging over any excavation after they have once been replaced by the street department as specified in this ordinance, are hereafter to be kept in repair by the owner or occupant of the premises in front of which the excavation is made.

SEC. 139. Whenever any pavement, sidewalk, curb, or gutter in any street, avenue, public place or alley shall be taken up for the purpose of making an excavation or opening whatever, except in cases directly authorized by law, it shall be the duty of the Street Commissioner to restore such pavement, sidewalk, curb or gutter to its proper position, as soon after as is practicable, requiring

the person or persons by whom or for whose benefit the same is removed to deposit the material composing the super-structure without breaking or injuring the same, and in a manner which will occasion the least inconvenience to the public to fill in any excavation made, and to leave the same properly packed, rammed and prepared for the repaving or relaying required. And the said Street Commissioner is hereby authorized to establish such rules and regulations, under the direction of the Street Committee, as will be deemed necessary for the purpose of carrying out the provisions of this ordinance.

SEC. 140. That if any person or persons shall make any excavation in any street or public place in this City or shall take up or disturb any pavement, curb stone or flagging laid thereon or therein, without first obtaining a permit therefor as herein provided and without complying with the provisions of this ordinance, such person or persons for every such offense shall forfeit and pay the sum of fifty dollars, which shall be sued for and collected in the name of the City, and for its use, and when received shall be paid into the treasury of the City, and placed to the credit of the account of streets.

SEC. 141. All moneys received by the Street Commissioner for the purposes contained in this ordinance shall be deposited by the Street Commissioner with the City Treasurer and placed to the credit of the Street Department.

SEC. 142. The Street Commissioner shall keep and preserve in his office a book of original entry or blotter, in which shall appear, day after day, a record of work in his department, giving the names and residences of the persons employed, the specific labor in which they are engaged, the number of hours employed and their rates of pay per day. From this book of original entry shall be drawn, each week, a pay-roll for each of the departments of public work, reciting the names and residences of the men employed, the period of service, the work on which engaged, rate of pay, and the total sum to be paid each person. Upon signing such pay-roll

the men to whom money is due shall each receive from the Street Commissioner an order upon the City Treasurer, in the following form:

No..... OFFICE OF THE.....19...

Hoboken, N. J.

To the Treasurer of the City of Hoboken:

Pay to the order of.....

the sum of.....Dollars, for services rendered.

And then shall follow a general statement of the time and character of the service rendered, which order shall be signed by the Street Commissioner. The stub or margin of the book from which the said order is taken shall present a copy or summary thereof, and shall be kept and preserved in the office of the Street Commissioner; upon presentation in writing of said order to the City Treasurer he shall cause payment thereof to be made directly to the person employed, and shall enter the number of the order, the name of the person presenting the same, and the amount paid, in a proper book provided for that purpose. At the next regular meeting of the Common Council thereafter held, the City Treasurer shall present to the proper Committees, resolutions, with the said orders presented as vouchers (which thereafter shall be kept and preserved in his office), reimbursing him for such payments made. The Street Commissioner shall also enter, in a suitable book, an account with each man employed, and also with each work of public improvement done (except work done under contract), which book shall be preserved, and shall be open to the inspection of members of the City Government.

CHAPTER XIII.

RELATING TO INSPECTOR OF PUBLIC WORK.

SEC. 143. That whenever any Inspector of Public work shall be appointed by the Council, and when assigned to inspect the construction of any public work or improvement, to acquaint himself fully with the terms and conditions of the contract under which such public work or improvement is to be constructed, and he shall procure from the City Surveyor such plans and directions as will enable him to ascertain whether such work is being properly done; and if he shall discover that any part of the work is being done, or any materials furnished, otherwise than in accordance with the provisions of the contract, or the directions of the City Surveyor or Street Commissioner, he shall immediately notify them of the fact.

SEC. 144. It shall be the duty of every such inspector to be constantly on the work during working hours and to exert himself to prevent any accident or damage occurring through or by means of the work, or the placing of the materials thereof, and in all cases to be certain that proper guards and lights are placed to prevent accidents at night.

SEC. 145. Whenever any Inspector of Public Works shall be assigned to inspect the construction of any sewer, it shall be his duty to locate each spur or branch, and mark its exact distance from the centre of the last man-hole, and to keep a record of the same, such record to be made daily, and to be subject to the inspection of the City Surveyor at all times.

SEC. 146. Before any Inspector of Public Work shall enter upon the discharge of his duties as such, he shall write his full name and place of residence in a book provided for that purpose in the office of the Street Commissioner; and no such inspector shall do any work, or in any way aid or assist the contractor whose work he is assigned to inspect.

SEC. 147. It shall be the duty of every Inspector of Public works to keep an account of the time spent in the discharge of his duty, and to make a statement thereof, verified by oath to the Street Commissioner, at least once a week; and when the work under any contract shall be finished it shall be the duty of the inspector assigned to inspect the construction thereof, to turn over to the City Surveyor, all papers, records or notes in his possession relating to said work.

CHAPTER XIV.

RELATING TO THE LAYING AND MAINTAINING OF UNDERGROUND CONDUITS, CABLES, WIRES AND MAN-HOLES FOR USE FOR FURNISHING ELECTRIC CURRENT.

SEC. 148. That the Hudson Electric Light Company, its successors and assigns, be and it hereby is authorized and empowered to construct and maintain, for the uses and purposes of its electric business, a system of subways or underground conduits, including the necessary man-holes and street openings, beneath the surface of the streets, avenues and other highways of the City of Hoboken, to wit: Through Ferry street, from the river to the westerly boundary line of the City;

Through Newark street, from the river to the westerly boundary line of the City;

Through First street, from the river to the westerly boundary line of the City;

Through Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth and Fifteenth streets, inclusive, from the river to the westerly boundary line of the City;

Through River street, from Ferry street to Third street;

Through Hudson street, from Ferry street to Fourteenth street;

Through Washington street, from Ferry street to Fourteenth street;

Through Bloomfield street, from Ferry street to Fourteenth street;

Through Garden street, from Ferry street to Fourteenth street;

Through Park avenue, from Ferry street to Fourteenth street;

Through Willow avenue, from Ferry street to Fourteenth street;

Through Clinton street, from Ferry street to Fourteenth street;

Through Grand street, from Ferry street to Fourteenth street;

Through Adams street, from Ferry street to Fourteenth street;

Through Madison street, from Ferry street to Thirteenth street;

Through Jefferson street, from Ferry street to Thirteenth street;

Through Monroe street, from Ferry street to Thirteenth street;

Through Jackson street, from Ferry street to Tenth street;

Through Harrison street, from Ferry street to Seventh street.

Also the necessary poles, fixtures and supports for distributing its electrical conductors along, across and above the surface of the above named streets, avenues and other highways of said City, and in addition thereto, such other streets, avenues and other highways as may be required for the business of said company, including terminals at wharves or piers now owned or which may hereafter be owned by said City.

SEC. 149. The said man-holes shall be located beneath the surface of the streets, not less than 300 feet apart, at such points along the line of the subways or

underground conduits as may be necessary or convenient for placing and operating the electrical conductors which the said company may, from time to time, place in said subways or underground conduits, and shall be so constructed as not to interfere with the passage of the public over and along the said streets; and the said company shall restore any street or avenue which may be disturbed in the construction or maintenance of said subways or conduits and man-holes, to the condition in which it was at the commencement of the work thereon, and free from any cost or expense whatever to the City of Hoboken. And the said company and its servants and employees, in the laying of any wire or conduits, in excavating and replacing the earth in any street, alley or public place, and of the pavement thereon, shall be under the supervision of the Committee on Streets and Assessments. The conduits and subways shall be laid under the carriage-way of the several streets at least two feet below the surface of the same, and within fifteen feet of the curb line and at the greatest practicable distance from the outside of any water or gas pipes now laid down, and not nearer than three feet to any water or gas main, except in case where it shall be necessary that the said wires or conduits shall cross or intersect any such water or gas pipe. The earth removed in making any excavation shall be restored, and the pavement taken up shall be relaid by the said company in as good condition as the surrounding pavement, until such street, avenue or highway in each case shall be repaved by the City. No street, avenue, alley or public place shall be obstructed for a longer period than shall be necessary to execute the work for which the same is made. The cost of restoring the earth or otherwise arising from such excavations, and the laying of pavement and repairs thereto, caused by the opening of any such street, avenue, alley or public place, shall be paid by the said company, and said work shall be done under the supervision of the Committee on Streets and Assessments. The posts or poles of said company shall be placed within the curb

line and adjacent thereto, as shown by the official maps of said city and within eighteen inches of said line, at such points as may be indicated by the Committee on Streets and Assessments, not more than one hundred and fifty feet apart and not less than one hundred feet apart.

SEC. 150. That said company shall indemnify the City of Hoboken against, and assume all liability and damages which may at any time arise, come or occur to said City from any injury to persons or property from the doing of any work herein mentioned, or from the neglect of the company or its employees to comply with the provisions of any ordinance of the City relative to the use of streets or public places, especially as to the putting up of lights or barriers at or around excavations; and the acceptance by the company of this ordinance shall constitute an agreement by it to pay to the City of Hoboken any sum of money for which the City may become liable from or by reason of such injury and damage.

SEC. 151. That said company shall file with the City Clerk its acceptance of this ordinance within twenty days from the date when such ordinance shall take effect, and also a satisfactory bond with sureties, approved by the Mayor and Council, in the sum of five thousand ($5,000) dollars, that it will faithfully comply with and perform all of the terms and conditions of this ordinance That the said Hudson Electric Light Company shall provide, without cost or expense whatever to the City of Hoboken, sufficient space in said subways or underground conduits to accommodate the telegraph or telephone wires or conductors operated from time to time by the police, fire and other departments of the City of Hoboken, and provided, however, that such wires or electrical conductors shall not be used in such a manner as to interfere with the use of the wires or electrical conductors that said company may from time to time place in said subways or underground conduits.

CHAPTER XV.

RELATING TO THE CONSTRUCTION AND REPAIRING OF STREETS AND HIGHWAYS.

SEC. 152. That the several streets and public alleys in the City of Hoboken shall be known by the names mentioned and designated, respectively, on the maps of Hoboken made by Charles Loss and Daniel Ewen and Austin D. Ewen, excepting as follows, viz: "Philadelphia Post Road," which shall be hereafter known and called "Newark Avenue," and that the public alley running between Washington and Hudson streets shall be called "Court Street." That the most southerly street now open and leading to the ferry and running east and west, shall be known by the name of "Ferry Street." "Meadow Street" shall be known by the name of "Park Avenue," and "Willow Street" shall be known as "Willow Avenue."

SEC. 153. That "River Street" shall extend and run from Hudson Place on the south to a stone wall of Edwin A. Stevens on the north, until further opened by the owner or owners of the premises along the line thereof for public use, and shall not be less than sixty feet wide.

SEC. 154. That Hudson street shall extend and run from Ferry street on the south to the northerly boundary line of the City, and shall not be less than eighty feet wide at any point, and that no court yard on either side thereof shall extend into said street beyond the distance of eighteen feet.

SEC. 155. That Washington street shall extend from Ferry street on the south to the northerly boundary line of the City, and shall not be less than one hundred feet wide at any point, and that no court yard on either side thereof shall extend into said street beyond the distance of fifteen feet.

SEC. 156. That Bloomfield street and Garden street shall each extend and run from Ferry street on the south

to the northerly boundary line of the City, and shall each be not less than sixty-five feet wide at any point, and that no courtyard on either side of any of two said streets shall extend into the same beyond the distance of twelve feet in Bloomfield street, and eleven feet six inches in Garden street.

SEC. 157. That Park avenue and Willow avenue shall extend and run from Ferry street on the south to the northerly boundary line of the City, and shall each be not less than sixty-five feet wide at any point, and that no court yard on either side of any two said streets shall extend into the same beyond the distance of eleven feet six inches.

SEC. 158. That Clinton, Grand, Adams and Jefferson streets shall extend and run from Newark avenue to the northerly boundary line of the City, and shall not be less than sixty-five feet wide at any point, and that no court yard on either side thereof shall extend into the same beyond the distance of eleven feet six inches.

SEC. 159. That Madison, Monroe, Jackson, Harrison and Marshall streets shall extend and run from Newark avenue to the northerly boundary line of the City, and shall not be less than sixty-five feet wide at any point, and that no court yard on either side thereof shall extend into the same beyond the distance of eleven feet six inches.

SEC. 160. That Ferry, Newark, First, Second, Third, Fourth and Fifth streets shall each run and extend from River street to the westerly boundary line of the City; that each of the said streets mentioned in this section shall not be less at any point than fifty feet wide, and that no court yard on either side of any of said last mentioned streets shall extend into the same beyond a distance of six feet six inches.

SEC. 161. That Sixth street, Seventh street, Eighth street, Ninth street, Tenth street, Eleventh street, Twelfth street and Thirteenth street shall each run and extend from Hudson street to the westerly boundary line of the City.

SEC. 162. That Fourteenth, Fifteenth, Sixteenth, Seventeenth and Eighteenth streets shall each run and extend from the Hudson river to the westerly boundary line of the City.

SEC. 163. That Hudson Place shall extend from the Hudson river to Hudson street.

SEC. 164. All streets and highways in the City of Hoboken shall be graded, gravelled, paved, flagged, macadamized, or otherwise improved or regulated as the Common Council shall from time to time by special ordinance direct, in conformity with the provisions of the City Charter.

SEC. 165. Every street in the City of Hoboken which shall be graded, gravelled, paved, flagged, macadamized, or otherwise improved or regulated by special ordinance, as aforesaid, or in any manner whatsoever shall have the sidewalks or foot-paths thereof on each side of said street, levelled, graded, curbed, paved, flagged or gravelled, as prescribed by ordinance, and the middle or remaining part of every such street shall be and remain as a carriage way for public use, and shall have a gutter or kennel on each side thereof next adjoining the sidewalk or foot-path, and be arched in such manner as the City Surveyor in charge of such work shall direct.

SEC. 166. The grades of all streets and highways in the City of Hoboken shall be regulated and established from time to time by resolution of the Common Council, and a profile thereof with the regulations distinctly marked thereon shall be deposited and kept in the office of the City Surveyor.

SEC. 167. No ordinance shall hereafter be introduced or reported to the Common Council to provide for regulating grading, gravelling, paving, flagging, macadamizing or otherwise improving or regulating any street or section of a street, unless such ordinance shall be accompanied by a certificate in writing, signed by the City Surveyor in charge of the work, or by a majority of the Committee on Streets and Assessments, setting forth that a suitable and proper grade for such street or sec-

tion of a street, has been duly advertised by the Common Council.

SEC. 168. No sidewalk or foot-path in any street in the City of Hoboken heretofore constructed and made under the authority of the Common Council, or by resolution of any City officer, duly authorized to act in the premises, shall be altered in width so as to conform to the provisions of this ordinance, unless by special ordinance or direction of the Common Council.

SEC. 169. All curb stones which shall hereafter be laid for the purpose of supporting the sidewalks shall be not less than three feet in length, four inches thick and twenty inches wide throughout, and shall be of the best hard blue or grey granite, and to be cut prepared and laid in the following manner, that is to say: The top of the stone shall be cut to a bevel of one inch, the front to be cut smooth, and to a fair line to the depth of twelve inches; the ends from top to bottom be truly squared so as to form close and even joints; and the front so laid so as to present a fair and unbroken line, under a penalty of ten dollars for each and every violation of any of the provisions of this ordinance, to be forfeited and paid by the person or persons laying and fixing the same, and the owner or owners of the lot fronting on the sidewalk so fixed, severally and respectively. But provisions of this section may be modified by resolution of the Council, passed by two-third vote.

SEC. 170. All gutter stones which shall hereafter be laid in this City shall be not less than three feet in length, four inches thick and fourteen inches wide throughout, and shall be of the best hard blue or grey granite, and be cut to a fair and bevelled surface, without winding, with true and parallel sides, and the ends truly squared so as to form close and even joints, under the penalty of ten dollars for each and every violation of any of the provisions of this section, to be forfeited and paid by the person or persons laying and fixing the same, and the owners or owners of the lot fronting on the sidewalk or street, severally and respectively.

SEC. 171. All sidewalks in the City of Hoboken shall be raised from the curb stone to the proportion of five inches on ten feet, under the penalty of ten dollars, to be forfeited and paid by the person or persons laying and fixing the same, and the owner or owners of the lot fronting on the sidewalk or street severally and respectively.

SEC. 172. No sidewalk or any part of a sidewalk in any part of the City of Hoboken, shall hereafter be taken up or removed therefrom, for any purpose whatever, without the written permission of the Street Commissioner, under a penalty of twenty-five dollars for every such offense.

SEC. 173. All sidewalks in any street or section of a street in the City of Hoboken, whereof the said sidewalks have been levelled, graded and curbed, shall be paved or flagged to such width as the Common Council shall by resolution or by special ordinance direct, with square, oblong or flat stone of the best hard blue or grey granite hewn and laid closely together, and not with brick or round or paving stone, under penalty of twenty-five dollars, to be forfeited and paid by the owner or owners of the lot or lots in front of which such sidewalk shall be, severally and respectively. But the provisions of this section may be modified by resolution of Council passed by a two-thirds vote.

SEC. 174. All private cartways crossing any of the paved or flagged sidewalks in any street or section of a street in the City of Hoboken shall be paved or flagged to such width as the Common Council shall by resolution or by special ordinance direct for paving or flagging the sidewalks in such street or section of a street, with square, oblong or flat stone of blue or grey granite, and not with brick or with round or paving stones, and the remaining part of such cartway, crossing any paved or flagged sidewalk as aforesaid, shall be paved or flagged with square, oblong or flat stones, hewn and laid closely together, or with round or paving stones, well and properly laid, and not with brick or other material, under the

penalty of twenty-five dollars, to be forfeited and paid by the owner or owners of the lot or lots in front of which such private cartway shall be, severally and respectively. But the provisions of this section may be modified by a resolution of Council passed by a two-thirds vote.

SEC. 175. The owner or owners of any dwelling house, store or other building, or lot or lots of ground, fronting on any street or section of a street in the City of Hoboken, whereof the sidewalks have been levelled, graded and curbed, shall at his, her or their charge and expense, well and sufficiently pave or flag the sidewalks, according to the ordinances, and keep and maintain in good repair the sidewalks and curb and gutter of such street in front of any such dwelling house, store or other building, or lot or lots of ground.

SEC. 176. It shall be lawful for the persons employed to pave or repave any street or section of a street in the City of Hoboken, to place proper obstructions acros such street or carriageway for the purpose of preserving the pavement then newly made, or to be made, until the same shall be fit for use; leaving at all times a sufficient passage for foot passengers, and giving at least three days' notice of such obstruction by written or printed notices, put up in at least three of the most conspicuous places in said street.

SEC.177. No person or persons shall, without the consent of the Street Commissioner in writing, or without the consent of the person superintending said paving, throw down, displace or remove any such obstruction mentioned in the last preceding section of this ordinance, under penalty of ten dollars for every such offense.

SEC. 178. Whenever any such person or persons shall have authority under any contract of the Corporation or any officer thereof, or under any permit authorizing the same, to remove the pavement or flagging from, or to excavate, or to occupy or use any part of the public streets or highways in the City so as to obstruct the travel in any streets or any highways, and to prevent the

the same from being used for the time being for the purposes of travel, such person or persons shall erect or cause to be erected in conspicuous positions, at the several points of intersection of such street or highway so obstructed, with the cross streets nearest to such obstruction, a suitable notice of such construction; which notice shall be in such manner and form as the Street Commissioner may at any time direct. Every person who shall violate any provisions of this section shall forfeit and pay ten dollars for every such offense.

SEC. 179. It shall be the duty of every person or persons engaged in digging down any street or highway, in paving any street or section of a street, building any sewer or drain, digging any trench for gas pipes or water pipes, or digging and building any cistern or well in any of the public streets and highways, under contract with the Corporation of this City, or to any officer thereof, or by virtue of any permission which may have been granted to them by the Common Council or Street Commissioner, where such work if left exposed would be dangerous to passengers, to erect a fence or railing at such excavation or work in such a manner as to prevent danger to passengers who may be travelling such streets or highways, and to continue and uphold the said railing or fence until the said work shall have been completed or the obstruction or danger removed; and it shall also be the duty of such persons or persons to place upon such railing or fence, at twilight in the evening, suitable and sufficient lights and keep them burning through the night, during the performance of such work, under the penalty of fifty dollars for every neglect or violation of any of the provisions of this ordinance.

SEC. 180. It shall not be lawful for any person or persons to break up or displace any of the paved streets of this City without permission of the Committee on Streets, and such permission shall not be given until the party applying therefor shall enter into a stipulation satisfactory to the Committee on Streets to replace and repair the said pavement (to the satisfaction of the

Street Commissioner) ,at his or their own expense, by a day to be named in said permit, and if any person or persons shall neglect and refuse to repair and replace the same in accordance with such stipulation and permit, he or they shall forfeit and pay the sum of fifty dollars for each offense, and in addition thereto shall pay the expense of repairing and replacing such pavement, which shall be done by and under the direction of the Street Commissioner.

SEC. 181. It shall not be lawful for any person or persons other than the "Board of Water Commissioners" or persons properly authorized by them, to break up or displace any pavement or to excavate any of the streets, highways, lanes, alleys or public grounds in or of the City of Hoboken for the purpose of placing therein water pipes, or of making connections with the pipes of the said "Board of Water Commissioners," under the penalty of fifty dollars for each offense, to be forfeited and paid by the person or persons causing, ordering, doing or procuring said work to be done, either of whom shall also be liable to pay the expense of repairing said street or other place so as aforesaid broken up, displaced or excavated, which repairs shall be done by or under the direction of the Street Commissioner.

SEC. 182. It shall be the duty of the Street Commissioner to charge and receive the sum of one dollar for the use of the City for each permit granted to break up or displace any of the paved streets of this City or any part thereof, and at the end of each month to pay said moneys to the City Treasurer.

CHAPTER XVI.

OF OBSTRUCTIONS AND INCUMBRANCES AND THE STREETS AND PUBLIC PLACES, AND OF ENCROACHMENTS THEREON.

SEC. 183. No person shall encumber or obstruct any street, highway, public lane or alley or other public

place in the City of Hoboken by placing therein, or thereon, any building materials or any article or thing whatsoever, without having first obtained the written permission of the Committee on Streets and Assessments, under penalty of ten dollars for each offense, and the further sum of five dollars for every day such encumbrance or obstruction shall continue.

SEC. 184. The Street Commissioner, Mayor or Chief of Police is hereby authorized and empowered to order any article or thing whatsoever, which may encumber any street, highway, public lane or alley, public wharf, dock or slip, or other public place, to be removed; and if such article or thing shall not be removed within two hours after notice to the owner thereof to remove the same; if the owner can not be readily found for the purpose of such notice, to cause the same to be removed to some suitable place to be designated by the said Street Commissioner, Mayor or Chief of Police. And the owner of any article or thing so removed shall forfeit and pay five dollars in addition to the cost of such removal.

SEC. 185. Any article or thing which may be removed in accordance with the provisions of the last preceding section, shall be advertised and sold by the Street Commissioner at the end of thirty days after such removal, unless the same shall be sooner reclaimed, and the penalty and costs paid by the owner thereof, and the Street Commissioner making such sale shall immediately thereafter pay the proceeds into the City Treasury and furnish the Comptroller with a statement of the article or thing sold, and the amount for which the same was sold, and the balance if any, after deducting the penalty and costs, shall be paid to any person or persons furnishing satisfactory proof of ownership.

SEC. 186. No person shall remove or cause to be removed ,or aid or assist in removing any building into, along or across any street, highway, public lane or alley in the City of Hoboken, without having first obtained the written permission of the Committee on Streets and Assessments, and conforming to such restrictions and

conditions as they may prescribe, under the penalty of twenty-five dollars, to be forfeited and paid by the owner of the building, or any person aiding or assisting in its removal, and the further penalty of twenty-five dollars for every day the same shall remain in or upon any street, highway, public lane or alley.

SEC. 187. Every such permit granted by the Committee on Streets and Assessments shall specify the time to be occupied in such removal, which time shall in no case be longer than is actually necessary, but such time may be extended for good and sufficient cause.

SEC. 188. The owner of any building or the contractor for its removal, either or both, who shall suffer the same to be or remain in or upon any street, highway, public lane or alley for any time longer than that specified in the permission of the Committee on Streets and Assessments, shall forfeit and pay the sum of ten dollars, and the further sum of ten dollars for every day the same shall continue.

SEC. 189. No person shall erect or place in building, in whole or in part, upon any street, highway, public lane or alley or other public ground within the City of Hoboken, under the penalty of fifty dollars for each offense, and the further sum of twenty-five dollars for every day the same shall continue.

SEC. 190. The owner of any building, fence or any encroachment or obstruction now standing, or which may hereafter be erected or placed upon any street, highway, public lane or alley or other public ground within the City of Hoboken, shall remove the same within thirty days from and after the time when he shall be required to move the same by a notice in writing signed by the Street Commissioner, under the penalty of fifty dollars for every such offense.

SEC. 191. Whenever the owner of any building, fence or other encroachment or obstruction upon any street, highway, public lane or alley or other public ground within the City, shall refuse or neglect to remove the same, after notice as provided in the last preceding section, the

same shall be deemed a nuisance, and it shall be lawful for the Street Commissioner to cause the same to be removed or taken down; and every person who shall oppose or resist the orders of the Street Commissioner in the premises shall forfeit and pay the sum of fifty dollars.

SEC. 192. No person or persons shall construct or continue any platform, stoop or steps in any street in the City of Hoboken, which shall extend more than one twelfth part of the width of the street, nor more than six feet; nor with any other than open backs or sides or railing; nor of greater width than is necessary for the purpose of a convenient passageway into the dwelling house, store or other building; nor any stoop or steps which shall exceed five feet in height, under the penalty of fifty dollars for each offense.

SEC. 193. No person or persons shall construct or continue any bay window or other window which shall extend into any street more than one foot from the wall of any dwelling house, store or other building, under the penalty of fifty dollars for each offense, to be forfeited and paid by the owner or owners thereof or the person or persons who constructed the same, severally and respectively.

SEC. 194. No person or persons shall construct or continue any cellar door which shall extend more than one twelfth part of any street, nor more than five feet into any street, under penalty of fifty dollars for each offense.

SEC. 195. No person or persons shall hereafter construct any porch over his cellar door, in any street, under the penalty of fifty dollars for each offense.

SEC. 196. No owner or occupant of any dwelling house, store or other building or premises, shall fix, put up or erect, or permit or suffer the same to remain fixed, put up or erected, any wooden shed or any covering of wood or other material, without a written permit from the Committee on Streets and Assessments, except cloth or canvas for the purpose of an awning or for any other purpose, which shall project into or be erected over and

upon the street or sidewalk in front of any such building or premises, under the penalty of fifty dollars, to be forfeited and paid by the owner or occupant thereof, severally and respectively.

SEC. 197. No person shall place or fix or continue in any street in this City, any awning post or any hitching post, any cloth or canvas for an awning, unless by the direction of the Committee on Streets and Assessments, and made conformably to the next succeeding section of this ordinance, under the penalty of ten dollars.

SEC. 198. Posts for the purpose of hitching or fastening horses may be placed on the sidewalk in front of any building, immediately within the curb stone or outer line of the sidewalk, but no more than two of such posts shall be placed in front of a twenty-five foot lot, and such post when of wood shall be round and not exceeding four feet in height and six inches in diameter.

SEC. 199. The owner or occupants of any dwelling house, store or other building in this City, shall be and is hereby authorized and permitted to construct from their respective buildings thereon, wrought iron brackets or frames for the support of awnings, which said brackets or frames shall be firmly secured to the building and shall be not less than eight feet nor more than ten feet in height above the sidewalk, and shall not project over the sidewalk beyond the line of curb stone, nor more than ten feet in----------any case whatever; and any owner or occupant as aforesaid, who shall violate any of the provisions of this section, shall forfeit and pay ten dollars, and the further sum of two dollars for every day such violation shall continue after notice to alter or remove the same.

SEC. 200. That the Street Commissioner is hereby authorized and directed to take out, remove and abate or cause to be taken out, removed or abated, any stoop, step, platform, bay window, cellar door, area, descent into a celar or basement, sign, tree, or any post or erection, or any projection or otherwise, in, over or upon any street or avenue, contrary to the provisions of this ordinance,

and the expense thereof shall be recoverable of the owner or occupant of the premises appertaining to the same, respectively.

SEC. 201. No person shall cut down, destroy, break, or in any manner injure any tree or shrub standing in any public place or highway, unless by direction of the Common Council or the Street Commissioner, for the purpose of regulating and improving such street or highway, under the penalty of twenty-five dollars for each offense.

SEC. 202. No person shall at any time fasten any horse or animal to any ornamental or shade tree in any of the streets in this City, or to any box or case around such tree, without the consent of the owner of such tree, under the penalty of five dollars for each and every offense.

SEC. 203. No person shall obstruct the cross-walks laid across the public streets or highways by placing or stopping his horse or horses, cart, wagon, sleigh, sled, or other vehicle upon or across any of the said cross-walks, or by placing or putting any obstructions or things across or on the same, under the penalty of five dollars for each and every offense.

SEC. 204. No person shall at any time fasten any horse or horses in such manner that the reins or lines shall be an obstacle to the free use of any sidewalk or cross-walk, under the penalty of five dollars for each and every offense.

SEC. 205. No person shall push, lead, ride, draw, back or drive any horse or other animal, cart wagon, sleigh, sled or other vehicle, over or upon any sidewalk, unless it be in crossing the same to go into a yard or lot, under the penalty of ten dollars for each and every offense.

SEC. 206. No owner or occupant of any dwelling house, store or other building, shall suffer or permit any horse, cart, wagon, sleigh, sled or other vehicle to be driven or otherwise to pass or go over or upon the sidewalk or footpath in front of such building, for the purpose of loading or unloading such cart, wagon, sleigh, sled or other vehicle, or for any other purpose whatever.

under the penalty of five dollars for each offense.

SEC. 207. Nothing contained in the last preceding section of this ordinance shall be construed to prohibit any person or persons from having free access for horses and cattle, carts, wagons or other vehicles belonging to them or used or employed by them, in going or returning across the sidewalk in front of any alley, gateway or passageway leading to their premises.

SEC. 208. No owner or occupant of any dwelling house, store or other building shall place or deposit, or suffer or permit to be placed or deposited upon any sidewalk or footpath in this City, any coal or sawed wood, which shall remain on such sidewalk longer than two hours, under the penalty of five dollars for each offense.

SEC. 209. If any cartman or other person or persons shall break or otherwise injure any sidewalk or footpath in this City, he or they shall cause the same to be well and sufficiently repaired and amended within twenty-four hours thereafter, under the penalty of five dollars for every such offense.

SEC. 210. No obstruction of any kind shall be placed on the streets, sidewalks or public places within the limits of the City of Hoboken within twelve feet of any fire hydrant, and the space around such hydrants shall at all times, within the limit aforesaid, be kept open and unobstructed.

Sec. 211. Any person who shall place any obstruction upon any street, sidewalk or public place within twelve feet of any such hydrant, or, being the owner of the premises, shall refuse or neglect immediately to remove the same upon being notified to do so by the Chief of the Fire Department, shall for each offense forfeit and pay, for the use of the City, the sum of twenty-five dollars.

SEC. 212. That hereafter no permission shall be given to any person or corporation to use the streets or public places of the City for any private purpose, except upon the terms, conditions, and in the manner herein provided, provided, however, that nothing in this ordinance shall be construed or relate to or effect peddlers

and other small dealers doing business under permits or established license fees.

SEC. 213. Any person or persons or corporation desiring to obtain permission to use the streets and public places of the City for any such purpose or purposes, shall first make application in writing therefor to the Mayor, stating therein particularly the use or uses they desire to make of such street or public places, and what structures or works they propose to erect or place therein.

CHAPTER XVII.

OF THE REMOVAL OF SNOW, ICE, DIRT, ETC.

SEC. 214. The owner or occupant, or person having charge of each and every dwelling house, store or other building, or lot or lots of ground in the City of Hoboken, shall within the first six hours after every fall of snow or hail, or after the formation of any ice upon the sidewalks and in the gutters, unless the said ice shall have been covered with sand or ashes, cause the same to be removed entirely from off the sidewalks, and to the breadth of one foot out of the gutter, opposite such dwelling house, store, building, or lot of land, under the penalty of five dollars for every such neglect, to be forfeited and paid by the said owner, occupant or person having charge thereof, severally and respectively.

SEC. 215. In case the gutter opposite any dwelling house, store or other building, or lot or lots of ground, in the City of Hoboken, shall at any time become obstructed with snow, ice, dirt or anything whatsoever, the owner or occupant or person having charge thereof, shall cause the said gutter to be cleaned out to the width of two feet, so that the water may run freely along the same, under the penalty of five dollars for every such neglect, to be forfeited and paid by the owner, occupant or person having charge thereof, severally and respectively.

SEC. 216. Any contractor or contractors or other

person or persons, who shall cause or permit any cart or wagon or other vehicle to be heaped up with manure, sand, earth, mud, clay or rubbish, so that the contents or any part thereof shall be scattered in the street, highway, public lane or alley, or other public place in this City, shall forfeit and pay five dollars for each offense.

SEC. 217. No person, without the permission of the Street Commissioner, shall take up, remove or carry away, or cause to be taken up, removed or carried away, any turf, stone, sand, clay or earth from any public street or highway in the City of Hoboken, under the penalty of ten dollars for each offense.

SEC. 218. No person without the permission of the Street Commissioner shall dump or deposit earth, dirt, rubbish or other article, contrary to the provisions of this ordinance, either upon the carriage-way or sidewalks of any public streets or highways in the City of Hoboken, under the penalty of ten dollars for each offense.

CHAPTER XVIII.

OF THE PUBLIC USE OF THE STREETS.

SEC. 219. No person shall ride or drive any horse, horses or other animal in the City of Hoboken with greater speed than at the rate of six miles an hour, under the penalty of five dollars for each offense, to be forfeited and paid by the owner or driver thereof, severally and respectively.

SEC. 220. No person upon turning the corner of any street in the City of Hoboken shall ride or drive any horse, horses or other animals otherwise than a walk, under the penalty of five dollars for each offense, to be forfeited and paid by the owner or driver thereof, severally and respectively.

SEC. 221. No person shall suffer or permit to go, or lead, or drive any horse, horses or other animal, upon any sidewalk in the City of Hoboken, under the penalty

of five dollars for each offense, to be forfeited and paid by the owner or person having the care, charge or keeping thereof, severally and respectively.

SEC. 222. No person shall run or race any horse in any public street or highway in the City of Hoboken, nor shall consent to or suffer such racing, under the penalty of fifty dollars, to be forfeited and paid by the person or persons who shall so race, or suffer or permit such racing, and the owner, rider and the person having charge of any animal which shall so race and run, severally and respectively.

SEC. 223. No person shall drive any horse and sleigh or sled through any public street or highway in the City of Hoboken, unless there shall be a sufficient number of bells attached to the harness of such horse and sleigh or sled to warn persons of their approach, under penalty of five dollars for each offense, to be forfeited and paid by the owner, driver or person having care, charge or keeping thereof, severally and respectively.

SEC. 224. No person or persons shall drive or lead any horse, sheep, swine, goat, cow, calf, or cattle of any description upon and along and lengthways thereupon any sidewalk or footpath within the City of Hoboken, under the penalty of five dollars for each and every offense, to be forfeited and paid by the owner of such animal and the person or persons driving or leading the same.

SEC. 225. It shall not be lawful for any person or persons or corporation to deposit any lime, mortar, sand, or other building material for use in the construction of any building, sidewalk or other structure, on the line of any asphalt pavement in the City of Hoboken, unless the said pavement be first protected by a platform of boards, or other substantial material, to prevent damage by such deposit of building materials to the said asphalt pavement, under the penalty of ten dollars for the first offense and five dollars additional for every offense thereafter, provided that the maximum penalty in any case shall not exceed twenty-five dollars.

SEC. 226. That it shall not be lawful hereafter for

any person to drive or cause to be driven or permit his or her servant to drive or cause to be driven upon the asphaltum pavement, laid or to be laid on any street in the City of Hoboken, any wagon or other vehicle having upon it a weight which together with the weight of the wagon or vehicle shall exceed two thousand pounds, unless the tires upon such wagon or vehicle shall be at least three inches in width; for any wagon or vehicle having upon it a weight which together with the weight of the wagon or vehicle shall exceed three thousand pounds, unless the tires of such wagon or vehicle shall be at least four inches in width, or any wagon or vehicle having upon it a weight which together with the weight of the wagon or vehicle shall exceed four thousand pounds, unless the tires upon such wagon or vehicle shall be at least five inches in width; or any wagon or vehicle having upon it a weight which together with the weight of the wagon or other vehicle shall exceed five thousand pounds, unless the tires upon such wagon or other vehicle shall be at least six inches in width; or any wagon or vehicle having upon it a weight which together with the weight of the wagon or other vehicle shall exceed six thousand pounds, unless the tires upon such wagon or vehicle shall be at least seven inches in width; or any wagon or vehicle having upon it a weight which together with the weight of the wagon or other vehicle shall exceed seven thousand pounds, unless the tires upon such wagon or other vehicle shall be at least eight inches in width; or any wagon or vehicle having upon it a weight which together with the weight of the wagon or other vehicle shall exceed eight thousand pounds, unless the tires upon such wagon or vehicle shall be at least nine inches in width; or any wagon or vehicle having upon it a weight which together with the weight of the wagon or other vehicle shall exceed nine thousand pounds, unless the tires upon such wagon or other vehicle shall be at least ten inches in width; or any wagon or other vehicle having upon it a weight which together with the weight of the wagon or other vehicle shall exceed ten thousand pounds, unless

the tires upon such wagon or vehicle shall be at least eleven inches in width; under penalty of not less than five dollars nor more than twenty-five dollars for each and every offense.

SEC. 227. That the foregoing section shall not apply to wagons or other vehicles used in conducting a business located on said asphalt streets, or for wagons or other vehicles used for the delivery of supplies or removing food or merchandise along said asphalted streets, provided such wagons or other vehicles enter and leave said asphalted streets at the nearest cross street to the point where delivery or removal of supplies or goods are to be made.

CHAPTER XIX.

OF THE PUBLIC GROUNDS OF THE CITY.

SEC. 228. No person shall play ball, quoits, or any other game or play whatever, in any of the enclosed public grounds or squares of this City, under the penalty of five dollars for each and every offense.

SEC. 229. No person shall pull up, break down or injure any of the trees, grass or shrubbery in any public ground or square, nor shall any person climb, bend, cut, mar, or in any manner injure any of the trees in such public grounds or squares, under the penalty of twenty-five dollars for each and every offense.

SEC. 230. No person shall break, cut, deface, or injure any bench or benches, or any post, chain, fence or gate belonging to or enclosing any public ground or square, or swing or hang upon the chains or gates thereof, or unfasten or open such chains, or gates for the purpose of giving admission to any horse or cattle to such public grounds or squares, under the penalty of five dollars for each and every offense.

SEC. 231. No person shall be permitted on public holidays or at any other time to place, put up or erect any booth or booths, shed or other convenience, or to station

any wagon or other vehicle for the sale of any liquor, provisions or other articles, in or upon any public ground or square, or any public street or highway, except by permission of the Mayor or the Committee on Public Grounds and Buildings, under the penalty of five dollars for each and every offense.

CHAPTER XX.

RELATING TO SEWERS AND DRAINS.

SEC. 232. The manner of piercing or opening to any of the public sewers or drains and the form, size and materials of which connections therewith shall be composed shall be prescribed by the Street Commissioner, under the direction of the Committee on Sewers of the Common Council.

SEC. 233. The Street Commissioner, on application for that purpose, is hereby authorized and empowered to grant permission to persons to construct at their own expense sewers or drains, or to lay pipes, to connect with any sewers or drains, built in any of the public streets and highways of the City, which he may deem proper and judicious, on being furnished by the applicants with the written consent of a majority of owners of property of the street or highway in front of which said sewer, drain or pipe is to pass; such permission to be so conditioned that the persons applying therefor shall comply with the ordinances of the City in relation to excavating the streets, to be responsible for damages for injuries caused to persons, animals or property by reason of any neglect or carelessness connected with the work permitted; that no claim be made by them or their successors in interest if the same be taken up by authority of the Common Council; nor exemption from assessment for building sewers or drains in the vicinity of their property; such permission to be concurred in by the Committee on Sewers.

SEC. 234. No connection shall be made with any

sewer or drain without the written permission of the Committee on Sewers, and if any connection or opening shall be made into any sewer or drain without such permission or in a manner different from the mode prescribed for such opening by the Street Commissioner, the person or persons making the same and the owner or occupant of the premises directing it to be made shall severally and respectively forfeit and pay the sum of fifty dollars for every such offense.

SEC. 235. All such permissions given by the Committee on Sewers to connect with sewers and drains, and all sewers, drains or pipes constructed and laid by permission of the said committee to connect with any sewers or drains in any of the streets or highways of the City, shall be upon the express condition that the Common Council of the City of Hoboken, may at any time revoke and annul the same; and the persons making such connections or their successors in interest shall have no right to demand or claim any damages in consequence of such permission being revoked or annulled.

SEC. 236. All openings into any sewers or drains for the purpose of making connection therewith from any dwelling house, cellar, vault, yard, or other premises, shall be made by the persons duly licensed to perform such work; the said person shall execute a bond to the Mayor and Common Council of the City of Hoboken, in the penal sum of one thousand dollars, with sufficient sureties, conditioned that they will carefully make the opening into any sewers or drains in the manner prescribed by the Street Commissioner, without injuring them; that they will leave no obstructions of any description whatever in them, and properly close up the sewer or drain around the connection made by them, and make no opening into the arch of any sewer or drain; that they will faithfully comply with the ordinances relating to opening and excavating streets, and be responsible for any damages or injuries that may occur to persons, animals or property, by reason of any neglect or carelessness on their part, connected with said work,

and that they will properly refill and ram the earth and suitably restore the pavement taken up for excavating, and repave the same should it settle or become out of order within six months thereafter; and in case any person so licensed shall neglect to repair the pavement aforesaid within twenty-four hours after being notified, the said Street Commissioner may cause the same to be done and charge the expense thereof to the person so neglecting.

SEC. 237. Ten dollars shall be paid to the Street Commissioner to connect with each dwelling house, store or building with any sewer or drain. Each hotel, boarding house or public building covering more ground than twenty-five feet by fifty feet, shall pay proportionately for such additional space of ground covered by each, respectively. Manufactories, breweries, distilleries and the like, for permission to connect with sewers or drains for the purpose of carrying off water or fluid that will not deposit sediment or obstruction, shall pay such sum as shall be fixed and determined by the Street Commissioner under the direction of the Committee on Sewers. All payments for permits as aforesaid shall be paid to the Street Commissioner prior to the delivery of the same to the person or persons making the application therefor to the Committee on Sewers.

SEC. 238. No owner or occupant of any dwelling house, store or other building, or of any manufactory, brewery, distillery or the like, having permission to connect with any sewer or drain, as aforesaid, shall permit any substance to flow into any sewer, drain or receiving basin which shall form a deposit that tends to fill said sewer, drain or receiving basin, under the penalty of fifty dollars for each offense.

SEC. 239. No butcher's offal or garbage, dead animals or obstruction of any kind whatever, shall be placed, thrown or deposited in any receiving basin or sewer; and any person so offending or causing any such obstruction or substance to be placed so as to be carried into such receiving basin or sewer shall forfeit and pay

ten dollars for each offense; and any person who shall injure, break or remove any portion of any receiving basin, covering flag, man-hole, vent, or any part of any sewer or drain, or who shall obstruct the mouth of any sewer or drain or obstruct the flow of water in any sewer or drain or water course in the City of Hoboken, shall forfeit and pay twenty-five dollars for every such offense.

SEC. 240. No owner or occupant of any manufactory, brewery or any other building in which steam is used, shall be permitted to discharge exhaust from steam engines directly into any public or private sewer or drain; also to discharge them into any public highway, under the penalty of fifty dollars for each offense.

CHAPTER XXI.

RELATING TO THE CONSTRUCTION AND REPAIR OF SIDEWALKS.

SEC. 241. That in any case where the Common Council shall be resolution determine to construct, repair and maintain any sidewalk, the work shall be done under the supervision, control and direction of the Street Commissioner and Committee on Streets and Assessments.

SEC. 242. The resolution shall specify the general character of the work intended to be done, and the Street Commissioner, immediately after the passage of such resolution, shall cause a notice in writing to be served upon the owner or occupant of any lands to be effected. Whenever any lands are unoccupied and the owner can not be found within the City, the same may be mailed, postage prepaid, to his or her post office address, in case the same can be ascertained. In case such owner is a non-resident of the City, and his or her post office address can not be ascertained within the City, notice shall be inserted for four weeks, once a week, in one of the official newspapers of this City; such notice shall specify the work to be done and the manner in which it shall be executed if done by the owner or occu-

pant. In case the owner or occupant shall not within thirty days from the date of the service of such notice perform the work as required therein, upon filing proof of the service or publication of such notice, it shall be the duty of the Street Commissioner to cause the required work to be done.

SEC. 243. In case the work is done by the City, the cost of the same shall be paid out of the moneys appropriated in the annual tax levy to the construction, repair and maintenance of sidewalks in the same manner as other work done by the Street Department is now paid for, and the cost of such work when finished shall be certified to by the Street Commissioner, and a certificate thereof filed with the Collector of Revenue, who shall proceed according to law for the collection of the same.

SEC. 244. Any person who shall throw or deposit on any sidewalk or crosswalk in any street, avenue or public place within the corporate limits of the City of Hoboken, any fruit or vegetable or other substance, or any part or portion thereof, which is liable to cause or does cause, any one passing along said sidewalk or crosswalk to slip or fall, shall, on conviction thereof before the Recorder, be punished by a fine of not less than one dollar nor more than five dollars for each offense.

SEC. 245. No occupant of any store, dwelling or building of any description, within the City of Hoboken, shall sweep or deposit or permit to be swept or deposited any paper, dirt or rubbish of any kind from his store, dwelling or other building, on, into or upon the sidewalk or gutter in front of the premises occupied by him, under the penalty of ten dollars for each offense.

CHAPTER XXII.

CONCERNING THE MANUFACTURE, STORAGE, TRANSPORTATION AND SALE OF POWDER, NITRO-GLYCERINE, ETC.

SEC. 246. No person shall manufacture, have, keep

or give away any gunpowder, blasting powder, gun cotton, nitro-glycerine or dualin within the limits of the City of Hoboken, except in quantities limited in the manner and upon the conditions herein provided and under such regulations in special cases as the Board of Fire Commissioners shall prescribe. Permits may be issued to persons desiring to sell gunpowder or any of the articles herein mentioned at retail at a particular place in said City, to be named in said permit (provided that the same be not in a building used in any part thereof as a dwelling, unless especially authorized by such permit), and persons having a permit from the Board of Fire Commissioners may have on their premises, if actually kept for sale, a quantity not exceeding at one time, of gun cotton five (5) pounds; of gunpowder fourteen (14) pounds; blasting powder, twenty-five (25) pounds; and all said articles shall be put up in tight metallic canisters containing or capable of containing not more than one (1) pound each, and the person having such permit shall place on some conspicuous part of the front of each of the stores or buildings, in which they may be permitted to sell powder or any of the articles herein named, a sign on which shall be distinctly painted in characters legible to persons passing such stores or buildings, the words "Gunpowder, by permit of the Board of Fire Commissioners," or designating such other of the articles herein named; and every barrel, cask, canister, bottle, can, vessel, box or parcel in which the same is sold, or into which the same is delivered on being sold, shall be distinctly labelled with a printed sign or label printed upon or firmly affixed thereto, describing the articles contained therein, with the word "Danger" distinctly painted before the same. No nitroglycerine, dualin or gunpowder greater than above shall be kept, carried or conveyed, except that for the purposes of distribution to or delivery from stores and buildings, a quantity not more than five quarter casks may be carried at any one time during the daytime for the purpose of transportation from any vessel or car, or sending the

same to stores or buildings or any vessel, car or place outside of the limits of the City, provided,that in carrying and conveying it shall be protected by being completely and securely covered with a leather or canvas cover or case and marked "Gunpowder." The commander, owner or owners of any ship or other vessel arriving in the harbor, and having more than twenty-eight (28) pounds of gunpowder, dualin or nitro-glycerine on board, shall within forty-eight hours after the arrival and before such ship or vessel shall approach nearer than three hundred feet of any wharf, pier or ship, immediately give a written notice to the Board of Fire Commissioners of the fact that such gunpowder or nitro-glycerine is on such vessel; but any vessel may proceed either to sea within forty-eight hours after arrival and may tranship such gunpowder or nitro-glycerine from one ship or vessel to another for the purpose of immediate transportation, without landing the same; provided, however, that the provisions of the preceding sections shall not apply to any vessel receiving gunpowder or freight in any one day, provided such vessel does not remain at any wharf or be within three hundred feet after sunset. Nothing herein contained shall be construed to apply to any ship or vessel of war in the service of the United States or of any foreign government which is lying distant three hundred feet or upwards from any wharf, pier or ship. A greater quantity of gunpowder or of any of the articles herein named may be stored or used in such manner as the Board of Fire Commissioners may designate, under a special permit issued therefor. Any person, persons or corporation for the violation or non-compliance with any of the several provisions of this ordinance, or who shall continue to use, allowed to be used or kept for use on any premises owned or occupied by him, her or them, after notice from said Commissioners, any article for sale or use or which is hereby prohibited, shall severally forfeit and pay a fine or penalty in the sum of fifty dollars for each and every offense, and shall also be severally liable and pay the further penalty of fifty dollars for each and

every day's delay to comply with the rules and directions herein contained; and said fines and penalties to be recovered pursuant to the Charter of the City of Hoboken and the supplements thereto.

SEC. 247. No fireworks, detonating works, cartridges, powder train, percussion caps, matches, or explosive compounds shall hereafter be manufactured, stored or kept upon sale in the corporate limits of the City of Hoboken, except at such places in such manner and in such quantities as shall be determined by the Board of Fire Commissioners in the exercise of their discretion, under a permit issued therefor, and subject to be revoked at any time by said Commissioners. Fireworks consisting of Chinese crackers, rockets, blue lights, candles, colored pots, lance wheels and other works of brilliant colored fires may be kept upon sale intervening the tenth day of June and the tenth day of July in each year by retail dealers under such regulations as may be prescribed under a permit issued therefor, and no quantity of the following named chemicals, acids and combustible materials greater than as hereinafter enumerated shall be stored or kept in or upon any one building, namely: Sulphus, one thousand (1,000) pounds; manufactured matches, five hundred (500) pounds; salt petre, nitrate of soda, five hundred (500) pounds in the whole; nitrate of silver, collodium, ether, phosphorous, fifty (50) pounds in the whole; aquafortis, muriatic acid, nitric acid and sulphuric acid, not exceeding one thousand (1,000) pounds in the whole; tar, pitch, rosin, turpentine and varnish, one hundred (100) barrels in the whole, except the same shall be stored and kept in such buildings and manner as may be required under a special permit issued therefor. Any person, persons or corporation for the violation and non-compliance with any of the several provisions of the foregoing ordinance, when the penalty is not herein specially provided, or shall continue to use, or allow to be used, or keep, for use, on any premises owned or occupied by him, her or them, after notice from said Commissioners, any articles the sale or use of which

is prohibited, shall severally forfeit and pay a fine or penalty in the sum of fifty dollars for each and every offense, and shall also be severally liable and pay the further penalty of fifty dollars for each and every day's delay to comply with the rules and directions herein contained; the said fines and penalties to be recovered pursuant to the Charter of the City of Hoboken and the supplements thereto.

SEC. 248. No person shall kindle any fire or furnish the material, or in any way authorize or allow any fire to be made in any street or road, alley, lane, or upon any pier, wharf or bulkhead, except by special permit issued therefor, under a penalty of ten dollars for each and every offense; said penalty to be recovered pursuant to the Charter of Hoboken and the supplements thereto.

SEC. 249. All lights used in theatres and all other places of public amusement, manufactories, stables, or in show windows, shall be properly protected by globes, glass coverings, or in such other manner as the Board of Fire Commissioners shall prescribe, under the penalty of ten dollars for each omission to do so; said penalty to be recovered pursuant to the Charter of the City of Hoboken and supplement thereto.

SEC. 250. No persons shall have, keep upon sale or store in any place or building within the corporate limits of the City of Hoboken, any crude petroleum, coal, or any similar oil, nor any of their products, either of which shall emit an inflammable vapor at a temperature below one hundred degrees farenheit, except under the following conditions: These oils or any of their products may be stored in detached and properly ventilated warehouses, the outer wall of which shall be stone, brick or iron, especially adapted for the purpose by having raised sills at least two feet high, on the ground floor of which shall be at least two feet below the level of the street or adjoining yard, or so constructed as to actually prevent the overflow of such substance below the premises where the same may be kept or stored, which said warehouses shall not be occupied in any part as a dwelling,

and, if less than fifty feet from any adjacent dwelling, the same must be separated by a brick or stone wall at least ten feet in height and twelve inches thick, constructed in such manner as the Board of Fire Commissioners may prescribe.

SEC. 251. No refined petroleum, kerosene, coal or similar oil, or any product thereof, to be used for illuminating or heating purposes which shall emit an inflammable vapor at a temperature below one hundred degrees fahrenheit, shall be kept upon sale, stored or used within the corporate limits of the City of Hoboken; all said articles may be tested and their quality determined by competent persons authorized by the Board of Fire Commissioners.

SEC. 252. No refined petroleum, kerosene, gasoline, naphtha or benzine, camphene, or burning fluid, or products or compounds containing any of said substances, shall be placed above the cellar or basement of any building, except the same shall be contained in metallic vessels or tanks of a construction to be approved by the committee of the Board of Fire Commissioners, and of a capacity not to exceed in the whole quantity the contents of fifty barrels of fifty-five gallons each; provided, however, that the whole quantity of said refined oils that may be temporarily stored or kept over night in a building, no part of which shall be occupied as a dwelling, shall not exceed the contents of ten (10) barrels, unless stored in the manner provided for storing crude petroleum; and when stored in cellars or basements, surrounded by walls of brick or stone, and at least two (2) feet below the level or grade of the sidewalk, the street or land adjacent, the whole quantity shall not exceed the contents of one hundred and fifty (150) barrels, unless stored in warehouses especially adapted for that purpose as required for the storage of crude petroleum under the foregoing sections, provided also, that no quantity of said oils greater than two (2) barrels shall be stored or kept in any building occupied in any part thereof as a dwelling.

SEC. 253. No refined petroleum, kerosene, gasoline, naphtha, benzine, bensole, camphene, burning fluid, or products or compounds containing any of said substances shall be allowed to remain on the sidewalk beyond the front line of any building or in or upon the streets, docks, piers, bulkheads, slips, highways, or public places of the City of Hoboken for a longer time than is actually necessary for the removal or loading of the same, except by special permission.

SEC. 254. The committee of the Board of Fire Commissioners may establish and enforce by and with the consent of the Board of Fire Commissioners, general regulations, and issue such orders and special directions relative to the handling, lightering, carting, loading, unloading and transportation of the several articles under these sections as shall be deemed necessary for the public protection. No person, firm or company shall deal in, sell or give away any refined petroleum or products thereof, kerosene or other burning fluid, without first obtaining a permit therefor from the said Board of Fire Commissioners, to be issued under such rules and regulations as they may prescribe, which permit shall be for the term of one year and shall not be transferrable. Said permit shall be posted up in a conspicuous place in the store of the person or persons to whom the same is issued, and may be revoked for cause by the Board of Fire Commissioners.

SEC. 255. Any persons who shall sell any of the compounds above mentioned in these sections above mentioned, without first obtaining a permit therefor, shall forfeit and pay the sum of twenty-five dollars, and any dealer who shall present and deliver for sanitary survey a sample of oil different from and which does not represent the quality of oil actually kept by him or her for sale, and not taken from the actual stock being offered for sale and of the same quality therewith, or shall refuse to furnish a sample or samples to the Surveyor on his applying for the same, shall forfeit and pay the additional sum of fifty dollars.

SEC. 256. Any person or persons or corporation for the violation or non-compliance with any of the several provisions of the foregoing sections or directions, regulations or the orders issued thereunder, when the penalty was not therein specially provided, shall forfeit and pay a fine of fifty dollars for each and every offense, and shall also forfeit and pay the sum of fifty dollars for each and every day's delay to comply with the directions, regulations or orders issued by said Board of Fire Commissioners; and said fines and penalties or either of them to be recovered pursuant to the Charter of the City of Hoboken and supplement thereto.

SEC. 257. Any building, structure, chimney or other thing which the Board of Fire Commissioners shall deem unsafe or unusually tending to produce or extend conflagrations, shall be taken down, removed or made secure as the said Board shall direct by written or printed notices to be served as hereinafter provided.

SEC. 258. All doors, blinds or shutters on stores or storehouses shall be closed upon the completion of the business of each and every day by the occupant having the use and control of the same, and all fireproof shutters or blinds that now or may hereafter be put upon the front or sides of any building on the street front, must be so constructed that they can be closed and opened from the outside above the first story.

SEC. 259. All hoist-ways, elevators or well-holes now or hereafter placed in any store or building shall be provided with and protected by substantial railings on each floor, and also shall have good and sufficient trap doors with which to close the same, and such trap doors shall be kept closed at all times, except when in actual use by the occupant or occupants of the building having the use or control of the same.

SEC. 260. All buildings of a public character hereafter erected such as hotels, churches, theatres, school houses, restaurants, railroad depots, public halls, and other buildings used or intended to be used for purposes of public amusement or instruction, shall have the halls,

doors, stairways, seats and aisles so arranged so as to facilitate egress in cases of fire or accident.

SEC. 261. All skylights less than three feet above the level of the roof of any building hereafter erected shall be provided with and protected by a substantial railing or iron grating.

SEC. 262. All buildings, except dwelling houses, and all livery and other stables, hay-boats or vessels and places where any merchandise, gunpowder, hemp, flax, tow, hay, shavings or other combustible materials may be lodged, may be entered and examined at any time by the Fire Commissioners, their officers, agents or either of them.

SEC. 263. All chimneys shall be kept clean and free from soot, and for every fire originated in a chimney caused by an accumulation of soot, the owner, lessee or person in charge of such chimney shall be liable to a fine of five dollars. All stoves, ranges, furnaces and heating apparatus, including pipes, with which the same may be connected, and all engines, boilers, theatrical machinery or other things which the Board of Fire Commissioners may deem unsafe or unusually tending to produce or extend conflagration shall be removed, altered or made secure as the said Board shall direct by written or printed notice, to be served as hereinafter provided.

SEC. 264. All notices of the violation of any of the several provisions of the foregoing sections, and that may be required to be issued thereunder, and also any notice that any building, structure or chimney or any part are deemed unsafe or dangerous, shall be issued in the name of the Board of Fire Commissioners of the City of Hoboken, and shall have the name of the president and clerk of said board affixed thereto, and may be served by any officer or employee of said board by leaving a copy of the same with any person or persons violating or who may be liable under the several provisions of these sections, and the person or persons so served with notice shall be allowed five days in which to commence the securing or removal of any building, structure, chimney or other

thing which the said Board of Fire Commissioners may direct in such notice.

SEC. 265. Any person, persons or corporation for the violation or non-compliance with any of the several provisions of the foregoing sections or directions, regulations or the orders issued thereunder, where the penalty is not otherwise stated, shall forfeit and pay a fine or penalty of fifty dollars for each and every offense, and shall also forfeit and pay the further sum of fifty dollars for each and every day's delay to comply with the directions, regulations or orders issued by the said Board of Fire Commissioners; and said fines and penalties or either of them to be recovered pursuant to the Charter of the City of Hoboken and supplement thereto.

SEC. 266. For the purpose of covering the expense of issuing permits under the foregoing sections a fee of one dollar will be charged for each and every permit issued.

SEC. 267. The owner or owners of any factory or factories shall cause the smoke-stack or chimneys connected with their said factory or factories to be covered and protected by a covering of wire or other material so that sparks and embers can not issue therefrom to the injury and damage of surrounding property.

SEC. 268. Any owner or owners not covering and protecting his or their said chimneys as aforesaid shall upon being notified by the chief of Police so to cover and protect the same, and if he or they fail so to do within one week from the receipt of said notice he or they shall be liable to a fine not to exceed twenty-five dollars.

SEC. 269. That if any person shall knowingly or willfully give or cause to be given any false alarm of fire within the corporate limits of the City of Hoboken, such person so offending shall on conviction thereof before the Recorder of said City, forfeit and pay a fine not exceeding twenty-five dollars.

SEC. 270. Any person who shall obstruct or cause to be obstructed any fire hydrant in the City of Hoboken, by placing against the same or immediately in front of the same at a distance less than twenty feet on either side

of said fire hydrants, any wagons, brick, lumber, building materials or any obstruction of any kind whatsoever, so as to make access to the said fire hydrant inconvenient or difficult to the Fire Department, without first having obtained written permission from the Chief Engineer of the Fire Department so to do, shall upon complaint of such fact made to the Recorder by the said Chief Engineer of the Fire Department or the Street Commissioner of said city, and after hearing by the said Recorder, be fined the sum of twenty-five dollars by the said Recorder.

SEC. 271. That it shall be the duty of any police officer of the City to report any violation of this ordinance as soon as discovered to police headquarters, and the Chief of Police or other person in authority of the Police Department shall immediately notify either the Street Commissioner or the Chief Engineer of the Fire Department of the existence of such obstruction, to the end that the fire hydrants of the City may at all times be kept free of obstructions and in readiness for use by the Fire Department.

CHAPTER XXIII.

RELATING TO THE OVERSEER OF THE POOR.

SEC. 272. The Overseer of the Poor shall have the exclusive care and charge of the poor of the City of the Hoboken, and furnish relief to such as in his judgment are in circumstances to require it.

SEC. 273. He shall keep in a book to be provided for that purpose a record of the names of all applicants for relief and those receiving relief, the amount given to each, and of all persons taken to the poorhouse or placed under the care of the City Physicians, which list shall specify the age, sex, birthplace, residence and occupation of such patient, and whether married or single, citizens or aliens, whether legally chargeable to the City, how long they have resided therein; the place from whence they came, and the time of their discharge or death.

SEC. 274. He shall receive applications from persons seeking relief and diligently and faithfully inquire into the circumstances and condition, and shall distribute such sums of money and such quantity of fuel or food to the outdoor poor as their circumstances in his discretion require.

SEC. 275. No person shall be admitted into the poor-house without the written permission of the Overseer of the Poor, and if it shall appear that the applicant for admission is legally settled elsewhere, an entry thereof specifying the legal settlement of such persons shall be made in the register required by the 273rd section of this ordinance.

SEC. 276. It shall be the duty of the Overseer of the Poor on receiving the reports of the City Physicians of the sickness of any indigent person, to visit and inquire into the circumstances and ability of such person and on finding him or her unable to procure medical aid at his or her own expense, he shall direct the City Physician to continue his attendance as long as necessary.

SEC. 277. The Overseer of the Poor shall be paid for his services the annual sum of one thousand dollars in equal quarterly payments.

SEC. 278. That whenever any person shall make application to the Overseer of the Poor for relief that he shall consult with one or more of the Committee on Alms of said City, who together shall examine into the state and circumstances of such persons so applying as aforesaid, and if it shall appear to such member or members of the Committee on Alms that such person is in such poor circumstances as to deserve relief, then said member or members of said committee shall give an order in writing to said Overseer to make such allowance, weekly or otherwise, to such poor person as he or they shall think his necessities may or shall require; which order shall be a voucher for the payment or expending of so much money by the said Overseer, and shall be allowed in adjusting his accounts, but no charge or expenditure of said Overseer of the Poor shall be audited or allowed

by the Council unless upon the presentation of said voucher.

SEC. 279. That the said Overseer shall be provided with the folio book, well bound, wherein the name or names of all poor persons applying for relief and being ordered the same as aforesaid, shall be registered by him with the day and year when they were first admitted to relief, have weekly or other sum or sums of money allowed by the said order for their relief, and the occasion which brought them under the necessity, and no person or persons shall be entered into the said book or receive relief from the said Overseer without such order procured as aforesaid, and in case the said Overseer shall enter into the book and receive any such poor person or persons without such order, he shall forfeit all such money and goods paid and distributed to such poor person or persons; nor shall any allowance be made to him for the same in passing his accounts.

SEC. 280. That at the end of each month he shall make out and present to the Council at their first regular meeting thereafter, a full and true account of all moneys received and paid out by him during the month, and names of the persons relieved by him, and the amounts, whether in money or orders severally bestowed upon them and the balance, if any, remaining in his hands at the end of the month.

SEC. 281. He shall meet the Committee on Alms twice every week at such time and place as the said committee may from time to time appoint.

SEC. 282. He shall receive applications from persons seeking relief, and shall diligently and faithfully inquire into their circumstances and situations, and shall, under the advice and direction of the Committee on Alms, distribute such sums of money or such quantity of fuel or food to the poor of the City as their circumstances may require, and he shall perform such other duties as may be required of him by the Committee on Alms, and he shall keep a book wherein shall be recorded the name and residence of each applicant for charity and the orders

and directions relative thereto, which book shall at all times be subject to the inspection of any member of the Council.

SEC. 283. He shall take charge of all indigent sick persons, idiots and lunatics, and provide such temporary care and relief as in his judgment their circumstances may require, and shall cause inquiry to be made to ascertain their last place of legal settlement, and as soon as practicable, in case the place of legal settlement is other than the City of Hoboken, to cause them to be removed thereto.

CHAPTER XXIV.

RELATING TO THE INSPECTOR OF BUILDINGS AND THE CONSTRUCTION OF BUILDINGS.

SEC. 284. That the Common Council shall annually appoint in such a manner as they may determine, a majority of all the Council elected being necessary to a choice, an Inspector of Buildings, who shall perform such duties hereinafter mentioned.

SEC. 285. That such Inspector of Buildings shall exercise and make a careful inspection of all buildings in the course of erection, or any or all buildings undergoing repairs or alterations, and all buildings, church structures and their several parts which have become dangerous or unsafe, and to see and compel proper precautions to be taken for the protection of life and property.

SEC. 286. He shall have charge of the erection of all public buildings, for all repairs of all work done on all public buildings owned by the City, and certify to the correctness of all bills incurred in the erection and repairing of any such buildings.

SEC. 287. He shall keep a record of his proceedings and a permit book and complaint book which shall be open at all times to public inspection.

SEC. 288. That before any person or persons shall erect, move, raise or commence to erect, move or raise

any building or buildings the person or persons intending or desiring to erect, move or raise any building or buildings shall first apply for and obtain from the said Inspector of Buildings a permit in writing, and shall pay for such permit the sum of ten dollars, and any failure to comply with the requirement shall be punished by a fine not exceeding fifty dollars.

SEC. 289. Every application for a permit for the erection of any buildings or the alteration thereof shall be in writing, signed by the person proposing to make the alteration or erect the building, or his agent, which shall state where the building is proposed to be erected and the description thereof, or the alteration proposed to be made, and a copy of the plans and specifications of the said building to be erected shall accompany the said application and shall be filed by the said Inspector in his office as a public record. Alterations estimated to cost more than one thousand dollars shall be accompanied by drawings and specifications, as in the case of a new building, and shall be filed with the said application as in the case of a new building.

SEC. 290. He shall have power to order the removal or demolition of any building or structure or part thereof left standing after a fire, explosion, storm or other calamity, if in his judgment the same is dangerous and liable to fall from its situation or condition, jeopardizing life and property.

SEC. 291. That said Inspector shall have power and it shall be his duty to inspect all buildings or structures or parts thereof which shall be complained of as dangerous, unsafe or liable to fall, and to order the repair or removal of any part thereof, if in his judgment the same is necessary for the protection of life and property.

SEC. 292. He shall serve a written notice upon the owner or agents of any such building or structure so complained of, commanding him, her or them to repair or remove the same, as the case may be, within twenty-four hours thereafter if in his judgment such a necessity exists, within time not exceeding five days if in his judg-

ment such time is reasonable and just. In case of failure of the owner or agent to comply with said notice, to immediately upon the expiration of the time so allowed to make complaint before the Recorder or acting Recorder of the City, and the penalty prescribed for such failure shall be fifty dollars, and a further penalty of ten dollars for every day the said failure shall continue.

SEC. 293. That it shall not be lawful for any person or persons, corporation or company hereafter to erect or cause to be erected any frame or wooden building or frame or wooden additions to buildings already existing or hereafter to be built in any portion of the City of Hoboken east of a line distant one hundred feet west of the westerly line of Willow avenue to the easterly boundary line of the City, and from the northerly to the southerly boundary line of the City.

SEC. 294. That it shall not be lawful to move or cause to be moved any wooden building to any lot or plot of ground.

SEC. 295. That any violation of the provisions of either of the aforesaid sections shall subject the offender to a fine of ten dollars for every day that such building or buildings shall be allowed to remain in such district after forty-eight hours' notice from the said Inspector of Buildings to the owner of such building or the person constructing such buildings to remove the same.

SEC. 296. For the purpose of properly construing this ordinance a frame or wooden building shall be considered to be any building of which the front, back or either side is constructed of wood or is supported by a wood frame, whether sheeted outside with metal or not.

SEC. 297. That it shall not be lawful hereafter to erect in the City of Hoboken a frame or wooden building of a greater height than forty-five feet, measured from the curb line of the street to the highest point of said building, under a penalty of fifty dollars for every day that such building is allowed to remain above the height hereinbefore specified, after notice in writing from the Inspector of Buildings served upon the owner or owners

thereof, to remove the same within forty-eight hours.

SEC. 298. That the walls of all brick buildings hereafter to be erected in the City of Hoboken, and the foundations when of brick, of all frame buildings hereafter to be erected shall not be less than twelve inches in thickness, under a penalty of fifty dollars for each and every day that such foundation and wall is allowed to remain standing after written notice of twenty-four hours from the said Inspector of Buildings served upon the owner or owners thereof or the contractor in charge to remove the same.

SEC. 299. That in all buildings hereafter to be erected there shall be constructed in the roof thereof a bulkhead or a scuttle opening of not less than three feet square, inside measurement, properly fastened with a hook attached to the scuttle top so that the same may be removed from the inside by any person seeking access to the roof, and there shall also be provided by the owner of every building hereafter to be erected, a ladder of sufficient strength and kept in proper repair leading to the roof through said scuttle opening, which ladder shall be at least two feet wide, provided with a sufficient hand rail and shall reach within twelve inches of the roof of said building, and in buildings already erected there shall be a ladder of proper strength and kept in proper repair leading to the said scuttle opening and reaching within twelve inches of the roof, which ladder shall be permanently fixed and adjusted in the place aforesaid so that the same will be at all times ready for use in case of fire; that the opening between the ceiling and the roof of all scuttle shafts in buildings now erected or hereafter to be erected shall be effectually closed up with boards or plaster so as to prevent the entrance of smoke into the said scuttle-way in case of fire.

SEC. 300. That in every building hereafter to be constructed containg dumb waiters, elevators or light shafts, the same shall be constructed of fire proof material, which material must be approved of by the Inspector of Buildings in accordance with the ordi-

nances regulating his duties.

SEC. 301. That in all buildings hereafter to be constructed with party walls, such party walls shall be carried at least eighteen inches above the roof beams of such buildings.

SEC. 302. That in case of the violation of any of the provisions of the preceding sections of this ordinance commencing with section 299 and concluding with section 301 inclusively, the Inspector of Buildings shall cause written notice of such violation to be served on the owner or owners, contractor or person in charge of any building or buildings in which such violation of the provisions of this ordinance is allowed to exist, to cause the same to be removed or to desist from the prosecution of the work within twenty-four hours from the service of such notice upon him or them.; and in the event of the failure or refusal of such person or persons to comply with the requirements of such notice, the said Inspector of Buildings shall make written complaint before the Recorder or the acting Recorder of the City, setting forth the facts and the violation of law complained of, and the Recorder or the acting Recorder of the City shall proceed thereafter upon such complaint as in other cases for violation of City ordinance, and if the person or persons complained of be adjudged guilty of the charge they shall be fined by said Recorder or acting Recorder the sum of fifty dollars.

SEC. 303. That for the purpose of complying with the duties and requirements of his office as established by law, and for the purpose of properly enforcing the provisions of this and other ordinances concerning his duties, the Inspector of Buildings shall have the right and it shall be his duty whenever he deems it necessary, to enter any public hall or theatre and any and all parts thereof at any reasonable time, especially when occupied by the public, or may enter any dwelling house between the hours of nine o'clock in the morning and five o'clock in the evening in order to properly judge of and discharge his duties, and it shall be unlawful for any person or

persons to refuse admission to such officer or to place any obstacle in the way of the enforcement and performance of the duties of his office.

SEC. 304. It shall be lawful for the Committee on Public Grounds and Buildings of the Council at any time to grant permission to any owner of real estate to erect for temporary purposes only, a frame or wooden structure not higher than one story, subject to the supervision of the Inspector of Buildings.

SEC. 305. If any building shall project beyond the range of the street, road or public grounds as laid down and ascertained by the City Surveyor, the person erecting the same shall within twenty days after notice thereof, if given by a City Surveyor, remove such building to the range so laid down as aforesaid, under the penalty of fifty dollars, and a further penalty of five dollars for every twenty-four hours during which such building shall continue to project.

SEC. 306. That whenever excavations hereafter commenced for building or other purposes on any lot or piece of land shall be intended to be carried to the depth of more than eight feet below the curb or grade of the street, and there shall be any party or other wall wholly or partly on adjoining lands and standing upon or near the boundary lines of said lot, the person causing such excavations to be made, if afforded the necessary license, to enter on the adjoining land and not otherwise, shall at all times from the commencement until the completion of such excavation at his own expense preserve such wall from injury and support the same by a proper foundation, that it shall remain as stable as before such excavations were commenced.

SEC. 307. All brick or frame buildings shall have foundation walls to be laid on earth or a level surface of rock or concrete. Where solid earth is not obtainable foundation walls shall be supported by piles sufficient in number to properly support the wall. All foundations shall be built of brick or stone.

SEC. 308. Before the walls of buildings are carried

up above the foundation walls, all cellars shall be connected with the street sewers. Should there be no sewer in the street or if the cellar be below water level, then provision shall be made by the Inspector of Buildings to prevent accumulations of water in the cellar.

SEC. 309. All flues or party walls shall be at least four inches from centre line of said wall, and all chimneys shall have walls at least eight inches built of brick, excepting where terra cotta or fire clay linings are used, in which case four inches of brick may be omitted. Chimney flues shall be at least eight inches by eight inches, interior measurement; and no chimney shall be lower than five feet above the top of the roof of the building of which it forms a part. All hearths for fire places shall rest on trimmer arches of brick, concrete or tile at least four inches from the chimney breast. The backs of all fire places shall not be less than eight inches thick. Chimneys with flues larger than two hundred and fifty square inches and less than five hundred square inches shall have surrounding walls not less than twelve inches of brick; such walls from a point ten feet above the inlet funnel shall have an extra lining of four inches fire brick laid in fire clay, or in place of fire brick, fire clay flue lining. Top of such chimneys to be at least eight feet above the highest part of any building within fifty feet of such chimney. Chimneys with flues of more than five hundred square inches and less than eight hundred square inches shall not have less than twelve inch walls. The wall, from a point two feet below to a point fifteen feet above the inlet funnel, shall have an extra lining of four inches of fire brick laid in fire clay, or in place of fire brick, fire clay flue lining. The top of such chimney to be at least ten feet above the roof or seven feet above the highest part of the roof of any building within fifty feet of such chimney. Chimneys with more than eight hundred or less than eighteen hundred square inches shall have surrounding walls not less than twelve inches thick and shall have four-inch lining of fire brick laid in fire clay, with four-inch air space opposite the inlet funnel.

The lining to commence four feet below the inlet and extend twenty feet above the same, to have opening from flues into the air space at top and bottom of lining. The tops of such chimneys shall be built not less than twelve feet above the roof and not less than ten feet above the roof of any building within the radius of fifty feet of such chimney. Isolated chimneys shall have hollow walls in addition to the requirements herein set forth.

In business or manufacturing buildings metallic chimneys or smoke-pipes shall not be used in such manner as to pass through the floors or roofs of the same, unless such metallic smoke-pipes or chimneys are enclosed in brick or tile walls with an air space between the enclosing wall and the pipe from bottom to top inside of said building, where such metallic chimney or smoke-pipe passes through the roof only, it shall be separated from the woodwork of such roof by at least twelve inches of incombustible materials.

Where smoke-pipes pass through a wood or plastered stud partition or furred wall or floor, they shall be surrounded by a body of hard incombustible material measuring at least four inches around such smoke-pipe, or they shall be surrounded by a sheet metal thimble made of two concentric rings of sheet metal at least one inch apart, and the entire thimble so constructed that there will be a circulation of air between the two rings forming the same.

Smoke-pipes of less than twelve inches diameter shall be kept at least six inches from any woodwork, unless the same is protected by a shield of four-inch porous terra cotta, in which case the distance shall not be less than six inches.

Smoke-pipes of larger area than six feet square shall be kept at least three feet from any woodwork, unless the same is properly protected by a shield of two -inch porous terra cotta, in which case the distance shall not be less than eighteen inches.

SEC. 310. The owner or owners of any factory or factories shall cause the smoke-stack or chimney con-

nected with their said factory or factories to be covered and protected by a covering of wire or other material so that sparks or embers can not issue therefrom to the injury and damage of surrounding property.

SEC. 311. Any owner or owners not covering and protecting their said chimneys as aforesaid shall upon being notified by the Inspector of Buildings to so cover and protect the same, and if he fails to do so within one week from the receipt of said notice, he or they shall be liable to a fine not to exceed twenty-five dollars.

SEC. 312. All steam pipes passing through floors, ceilings or partitions of combustible material shall be protected by a metal tube one inch larger in diameter than the pipe. All wooden boxes or casings enclosing steam pipes, and covers to recesses, shall be lined with iron or tin plate. All cold-air boxes shall be made of hard, incombustible material for a distance of at least three feet from the furnace.

Hot-air pipes in wood partitions or between joists must be made of metal. Such pipes are to be made with tight points and to be securely fastened to the partitions. The openings in floors for hot-air registers shall be surmounted with borders of some incombustible material not less than two inches wide.

Where the air conveyed to the pipes is heated in the ordinary hot-air furnace by direct contact of the air with the fire-box the material used for these double ducts, pipes and register boxes shall be bright tin.

Where the air is heated with hot water or steam pipes any other sheet metal may be used.

SEC. 313. All brick laid in non-freezing weather shall be wet immediately before being laid. The brick used in all buildings shall be good, merchantable, well-burned brick. The bond of brick work shall be formed by laying one cross of headers to every six courses of stretchers. The sand used for mortar in all buildings shall be clear sharp sand. The loads allowed on brick work including its own weight shall not be greater than as follows:

Best hard burnt brick in cement mortar, two hundred

and fifty (250) pounds per inch;

Best hard burnt brick in lime mortar, two hundred (200) hundred pounds per inch;

Ordinary burnt brick in lime mortar, one hundred and fifty (150) pounds per inch.

Where hollow tile blocks are used for building partitions or as enclosing walls, the joints shall be well filled with mortar and the effective bearing part of the tiles shall not be loaded more than eighty pounds to the square inch for hard fire clay tiles; nor more than sixty pounds per square inch for hard ordinary clay tiles; nor more than forty pounds per square inch for porous tiles. All stones used for the facing of any building and known as Ashler, shall not be less than four inches thick. Stone Ashler shall be anchored to the backing. The front, rear, side and party wall shall be properly bonded together or anchored to each other by suitable wrought iron anchors.

The walls and piers of all buildings shall be properly bonded and solidly put together with close joints filled with mortar. They shall be built to a line and be carried up plumb straight. The walls of each story shall be built the full thickness to the top of the beams above.

SEC. 314. All bearing piers are to be built of dimension stone or of brick, shall not be higher than eight times the least width of the base, nor shall they have a smaller cross section than twelve inches by twelve inches.

SEC. 315. The outside walls of all public halls and theatres and other buildings, the roofs or ceilings of which are carried on trusses or girders of a span of fifty feet or more, shall have walls as follows:

Walls less than twenty-five feet high and not less than twenty inches thick; if more than twenty-five feet and less than forty-five feet, the walls shall not be less than twenty-four inches thick; if more than forty-five feet and less than sixty feet, the walls shall not be less than twenty-eight inches thick; if the walls are over sixty feet and less than seventy-five feet, the walls shall not be less than thirty-two inches; if more than seventy-five

feet and less than ninety feet high, the walls shall not be less than thirty-six inches. An increase of four inches in thickness of walls shall be made in all cases where walls are over one hundred feet long without cross walls of equal height. For rooms less than fifty feet wide the thickness of walls before given may be reduced four inches.

SEC. 316. In all buildings having a basement or first story or both, designed for business purposes, and the upper stories for dwelling, when the walls are less than sixty feet long between cross walls, the thickness of such walls, if of brick, shall not be less than the number of inches given in the following table:

Outside Party and Division Walls.	Basement Stone	Basement Brick	1st story	2d story	3d story	4th story	5th story	6th story	7th story	8th story	9th story	10th story
1 story	18	12	12									
2 stories ...	18	12	12	12								
3 stories ...	18	12	12	12	12							
4 stories ...	20	16	12	12	12	12						
5 stories ...	24	16	16	16	12	12	12					
6 stories ...	28	20	16	16	16	12	12	12				
7 stories ...	28	24	20	16	16	16	12	12	12			
8 stories ...	28	24	20	20	20	16	16	12	12	12		
9 stories ...	32	24	24	20	20	20	16	16	12	12	12	
10 stories ...	32	28	24	24	20	20	20	16	16	12	12	12

The thickness of brick walls for dwellings shall not be less than the number of inches given in the following table.

Brick Walls for Dwellings.	Basement Stone	Basement Brick	1st story	2d story	3d story	4th story	5th story	6th story	7th story	8th story	9th story	10th story
1 story	18	12	12									
2 stories ...	18	12	12	12								
3 stories ...	20	12	12	12	12							
4 stories ...	20	12	12	12	12	12						
5 stories ...	24	16	16	12	12	12	12					
6 stories ...	24	20	16	16	12	12	12	12				
7 stories ...	28	24	20	16	16	12	12	12	12			
8 stories ...	28	24	20	20	16	16	16	12	12	12		
9 stories ...	28	24	20	20	20	16	16	16	12	12	12	
10 stories ...	32	28	24	20	20	20	16	16	16	12	12	12

If any horizontal section of any part of any bearing wall in any building shows more than twenty-five per cent. area of flues and openings, the said wall shall be increased four inches in thickness for every ten per cent. or fraction thereof of flue or opening area in excess of twenty-five per cent.

SEC. 317. No recess for water, sewer or other pipes shall be made in any wall more than one-third of its thickness, and the recesses around said pipes shall be filled up with solid masonry for the space of one foot at the top and bottom of each story.

SEC. 318. The height of any basement used for dwelling purposes or for sleeping apartments to be not less than eight feet, and the height of ceiling of same above grade to be not less than four feet. No room in any dwelling, lodging or tenement hereafter built shall be considered habitable or used as a habitation, unless it is at least eight feet six inches in height in the clear.

SEC. 319. Ceilings in basements or cellars in all buildings shall be lathed with wire lathing and plastered three coats with fireproof plaster, or covered with

any other fireproof material approved of by the Inspector of Buildings.

SEC. 320. All wooden beams shall be trimmed away from the flues, whether the same be a smoke, air or any other flue, the trimmer to be at least eight inches from the inside face of the flue, and the header two inches from the outside face of the wall. Ends of all wooden floors or roof beams shall enter the wall to the depth of four inches, unless the wall is properly corbeled out four inches, in which case brick work is to extend to the top of beams. The ends of all beams shall be so shaped that in case of any deflection or breaking they may fall out without doing any or much injury to the brick wall. All beams entering any stone or brick wall shall be splayed one-quarter inch to one inch shorter at top edge. All wooden floor or roof beams shall be properly bridged with cross-bridging and the distance between bridging or bridgings and wall shall not be more than eight feet.

Each tier of beams shall be anchored to the side, front, rear or party walls at intervals of not more than eight feet apart with good, strong wrought iron anchors. The ends of all beams resting on iron girders shall be butted together to end with wrought iron straps. They may lap each other at least twelve inches, to be well spoked or bolted together when lapped.

Every pier and wall, front or rear, shall be well anchored to the beams with wrought iron anchors, which anchors shall hook on the second beam. Floor or roof beams in all buildings, brick or frame, shall not be less than three inches by eight inches. Corner and centre posts of all frame buildings over two stories in height, unless balloon frame, shall not be less than four inches by ten inches.

SEC. 321. Floors shall be of sufficient strength in all their parts to carry the following superimposed loads, in addition to the weight of the materials of which they are composed, viz: per square foot:

Dwellings, tenement houses, lodging houses, apartment houses and hotels, seventy pound loads,

On schools, seventy-five pounds, floor and roof;

On office buildings, seventy pounds, floor and roof;

On churches and theatres, eighty pounds, floor and roof;

On public halls, stores and factories, one hundred to one hundred and fifty pounds, floor and roof;

On drill rooms and riding schools, two hundred to two hundred and fifty pounds, floor and roof.

Floors of warehouses and storage houses shall be proportioned to the load they are to carry.

The roofs of all buildings shall be proportioned to bear safely thirty pounds upon every superficial foot of their surface in addition to the weight of the materials composing the same.

SEC. 322. The walls and skeleton frame work of every building during the erection or alteration thereof shall be strongly braced from the beams of every story, and when required shall also be braced from the outside until the building is enclosed. In no case shall any wall or walls of any building be carried up more than two stories in advance of any other wall, except by permission from the Inspector of Buildings.

SEC. 323. Every temporary support placed under any structure wall, girder or beam during the erection, finishing, alteration or repairing of any building or structure or any part thereof, shall be of sufficient strength to safely carry the load to be placed thereon.

SEC. 324. In all buildings hereafter erected or altered, where any iron or steel column or columns are used to support a wall or part thereof, whether the same be an exterior or interior wall, the said column or columns shall be so constructed as may be approved by the Inspector of Buildings. Iron posts or columns with one or more open side or backs shall have solid iron plates on top of each to prevent the passage of fire or smoke through them from one story to another, excepting where pierced for the passage of pipes. All cast iron, wrought iron and steel columns shall have their bearings faced smooth and at straight angles to the axis of

the columns, and when one column rests upon another column they should be securely bolted together. Wooden columns supporting wooden girders and wooden floor and roof beams, in all buildings more than two stories high, shall have iron caps and base plates not less than one inch thick, or iron post caps.

SEC. 325. Cast iron used in the shape of lintels or brackets shall be so proportioned that the compression stress upon the same shall not exceed 13,500 pounds per square inch, and that the tensil stress shall not exceed 3,000 pounds per square inch.

All girders, beams, brackets and trusses made of steel shall be so proportioned that the maximum fibre stress will not exceed 16,000 pounds per square inch, or that, if made of iron, the maximum fibre stress shall not exceed 12,000 pounds per square inch.

SEC. 326. Any person or persons placing water tanks of iron or other material on the roof of any building, where said tanks are to hold more than five hundred gallons of water, for fire protection or other purposes, such person or persons shall submit plans and specifications for said tank and the supporting of the same to the Inspector of Buildings, and remain on file in the office of the Inspector of Buildings. Said plans and specifications to be approved by the Inspector of Buildings before permit is issued for the erection of the same. Upon completion of such tank or tanks and supports, and before the using of the same, they shall be inspected by the Inspector of Buildings and shall not be used until a certificate is issued by the Inspector.

SEC. 327. Any person or persons desirous of utilizing the space under the sidewalk in front of any building owned by him, her or them, shall construct a sufficient brick or stone wall not less than one-fourth of the height in thickness at the base, tapering gradually to not less than sixteen inches at the top, to retain the roadway of the street, and shall extend the sidewalk divisions and party walls of each building under the sidewalk to such curb walls. Said walls to be laid in cement mortar.

The sidewalks in all such cases shall be supported by walls, iron beams and columns. The arches turned between the beams in hollow sidewalks shall sustain a safe load of not less than three hundred pounds per square foot.

The Inspector of Buildings shall in all cases of the erecton of new buildings require the sidewalk in front of such buildings to be made as high as the established grade thereof, and in no case shall he allow a sidewalk to be laid above or below such established grade. The rise of any artificial sidewalk, from curb line to building line, shall not be more than one inch to every five feet.

SEC. 328. Whenever the distance between doors and windows of business buildings on opposite sids of alleys or courts shall be thirty feet or less such door or window openings shall be provided with metal covered shutters or others approved by the Inspector of Buildings.

SEC. 329. Stairways in public halls and theatres shall be in width equivalent to eighteen inches for every one hundred persons of the seating capacity of such building. No such stairway in any such building shall be less than five feet wide in the clear. No such stairway shall ascend to a greater height than eleven feet without a level landing. All stairways shall have a railing on either side.

Distinct and separate places of exit and entrance shall be provided for each gallery.

All aisles or passageways in said buildings shall be kept free from camp stools and chairs, sofas and other obstructions.

All doors shall open outward and shall not be so placed so as to reduce the width of the passage above required. All doors to have fastenings on the inside only. Fastenings to be so arranged as not to obstruct or prevent instant and easy egress through same.

All exits in public halls and theatres shall have the word "Exit" in letters applied to the auditorium side and to the stage side of every such exit.

Emergency exits and stairways shall be provided out-

side of the walls of all public halls the seating capacity of which is more than fifteen hundred persons, and of all theatres the seating capacity of which is more than eight hundred persons. No emergency stairways and exits shall be less than three feet in width.

SEC. 330. Stairways and steps may be built leading down to the basement of any building, but shall not extend into the sidewalk more than three feet where the sidewalk is not more than twelve feet in width, and not more than three feet six inches where the sidewalk is more than twelve feet in width; provided that said stairway or steps shall be protected by metal posts and rails.

SEC. 331. That it shall be hereafter lawful for any person or persons who may erect any building or buildings upon his, her or their lot or lots fronting upon any street in said City (excepting Court street), to build, construct, place and put bay windows in and upon such building or buildings so erected as aforesaid, provided, that such bay windows so constructed as aforesaid shall not project to a greater distance than three feet beyond the building line, the said three feet to be measured from the line of said building or buildings so erected as aforesaid.

SEC. 332. That all buildings now or hereafter erected in which twenty or more persons congregate or are employed, temporarily or otherwise, above the first ground floor thereof shall have one or more, as the proper authority shall direct, external wrought iron fire escapes of such dimensions and character and subject to regulation and construction as the said proper authority shall designate.

SEC. 333. An outside fire escape to consist of iron balconies three feet wide, taking in one or more windows at every story, and connecting said balconies by iron stairs, and provided with an iron drop ladder to lead from the balcony at the first story to the ground, all to be constructed as follows:

SEC. 334. Brackets must not be less than $\frac{1}{2}$x$\frac{3}{4}$ inch wrought iron, placed edgewise, or $1\frac{3}{4}$ inch angle iron well braced and not more than three feet apart; and the braces

to brackets must not be less than $\frac{3}{4}$ inch square wrought iron and must extend at least two-thirds of the width of the respective brackets or balconies. In all cases the bracket must go through the wall and the end be turned down three inches, or in cases of houses already built the ends must be secured by a wrought iron washer six inches in diameter with screw end and nut to bracket.

SEC. 335. Bottom rails must be $\frac{3}{8}$x$1\frac{1}{2}$ inch wrought iron well leaded into the wall; the top rails of balcony must be $\frac{3}{8}$x$1\frac{1}{2}$inch wrought iron, and in all cases must go through the walls or studding and be secured by nuts and 4 inch washers; the filling in bars must not be less than $\frac{1}{2}$ inch round or square wrought iron placed not more than six inches from centres and well riveted to the top and bottom rails, the latter to be riveted or screwed to the ends of brackets.

The height of balcony railings must not be less than two feet nine inches and the ends of balconies shall under no circumstances extend more than nine inches over or beyond the brackets.

The openings for stairs in all balconies shall not be less than twenty inches wide by thirty-six inches long.

The flooring of balconies must be of wrought iron $1\frac{1}{2}$x$\frac{3}{8}$ inch slats placed not over $1\frac{1}{4}$ inches apart and secured and riveted to iron battens $1\frac{1}{2}$x$\frac{3}{8}$ inches not over three feet apart, or to angle irons connected with the brackets.

SEC. 336. The stairs in all cases must be eighteen inches or more wide, as the Council may direct, and constructed of $\frac{1}{4}$x$3\frac{1}{2}$ inch wrought iron, sides or strings; steps may be of cast iron of the same width as strings, or $\frac{5}{8}$inch round wrought iron double rungs well riveted to the strings.

The stairs must be secured to the iron brackets on top or bottom or be secured to extra cross-bars; all stairs must have $\frac{3}{4}$ inch wrought iron hand rails well secured and braced.

Drop ladders from lower balconies shall not be less than fourteen inches wide and shall be made of 2x$\frac{3}{8}$ inch sides and $\frac{5}{8}$ inch rungs of wrought iron, and in no case

shall a drop ladder be over twelve feet in length.

SEC. 337. In all school buildings the outside fire escapes must be constructed as regular stairs, the balconies forming the landings; the stairs must be so constructed that the rise of steps be not more than six inches and the width of tread in proper proportion; the balconies must be accessible through doors opening out or rising sash windows reaching down to floors.

That it shall be the duty of the Inspector of Buildings of the City of Hoboken, whenever directed so to do by the Mayor and Council, to give notice in writing to the owner or lessees or the person having charge or control of said building or buildings, of the requirements of the said act of the legislature mentioned and referred to in this ordinance, and also of the requirements of this ordinance, and to set forth in said notice the number, kind and manner in which said external fire escape or escapes is or are to be erected as required by this ordinance, and the penalty which any such owner, lessee or person having charge or control of said building or buildings will incur by refusal or neglect to comply with said law and this ordinance within ninety days after service of such notice.

That any violation of any provision of this ordinance shall subject the offender, on complaint of the Inspector of Buildings before the Recorder or acting Recorder, to a fine of fifty dollars for every violation.

SEC. 338. That before proceeding with the erection, alteration, raising or moving of any building or part of any building or platform, staging or flooring used for standing or sitting purposes, or the undermining of any such sidewalk permission shall be first obtained from the Inspector of Buildings by the owner, his agent or lessee, and it shall be unlawful to proceed with the erection, alteration, raising or moving of any building or part of any building or any such platform, staging or flooring, or the undermining of any sidewalk in the City of Hoboken, unless permit shall first have been obtained from the Inspector of Buildings.

The person or persons desiring such permit shall pay

the following fees:

For a permit for the erection of a building costing less than one thousand dollars, $2;

For a permit for the erection of a building costing from one thousand to five thousand dollars, $5;

For a permit for the erection of a building costing from five thousand to ten thousand dollars, $7;

For a permit for the erection of a building costing from ten thousand to fifteen thousand dollars, $10;

For a permit for the erection of a building costing more than fifteen thousand dollars, one dollar additional for every one thousand dollars more of the cost;

For a permit to move a building from its lot to any other lot or plot of ground, $5;

For a permit to raise a building more than eight feet, five dollars.

SEC. 339. That in all brick buildings in which there are elevators, dumb-waiters and light-shafts to be constructed the same must be constructed entirely of brick or iron, and the doors leading to such elevator or dumb-waiter shafts must be constructed of iron; the walls of said elevator, dumb-waiter and light-shafts to be constructed shall be built at least nine inches above the roof of the building, covered with a metal skylight or a metal covered lid.

That in all frame buildings in which there are elevators, dumb-waiters and light-shafts to be constructed, the same must be constructed in the following manner: In between the studding of the construction four inches of brick work must be built, laid in good mortar, and the inside of such elevators, dumb-waiters and light-shafts to be lined with sheet iron. The shaft to reach at least nine inches above the roof of the building, covered with a metal skylight or metal covered lid. The doors leading to said elevator and dumb-waiter shafts to be covered with sheet iron.

SEC. 340. That on all frame buildings hereafter erected the side walls of same must be constructed in the following manner: The studding of both side doors from the

foundation sill to the top of the roof beams must be filled in with four inches of brick work laid in good mortar. Any failure to comply with the requirements of this section shall be punished by a fine not exceeding fifty dollars.

SEC. 341. Every application for a permit for the erection of any building or the alteration thereof shall be in writing, signed by the person proposing to make the alteration or to erect the building, or his agent, which shall state where the building is supposed to be erected, the description thereof of the alterations proposed to be made, and the estimated value of the building and cost of alteration on such buildings to be verified by the affidavit of applicant, where required by the Inspector of Buildings, and a copy of the plans and specifications of said building to be erected or alterations to be made on buildings shall accompany the said application and shall be filed by the Inspector of Buildings in his office as a public record. Any failure to comply with the requirements of the above section shall be punished by a fine not exceeding fifty dollars.

SEC. 342. That said Inspector of Buildings shall have power to order the removal or demolition of any building, buildings, structures and parts thereof which by reason of weakness, settling or insufficiency of the walls or foundation thereof, or left standing after a fire, explosion, storm or other calamity, if in his judgment the same is dangerous or liable to fall from its situation or condition, jeopardizing life or property. He shall have power and it shall be his duty to inspect all buildings and structures and parts thereof which shall be in his judgment dangerous, unsafe or liable to fall, and to order the repair or removal of any part thereof, if in his judgment the same is necessary for the protection of life and property.

SEC. 343. That he shall serve a written notice upon the owner, agent, lessee, corporation or company of any such building, buildings, structures or parts thereof so complained of, commanding him, her or them to repair

or remove the same, as the case may be, within twenty-four hours thereafter, if in his judgment such necessity exists, or within five days if in his judgment such necessity does not exist.

In case of failure of the owner, agent, lessee, corporation or company to comply with said notice immediately upon the expiration of the time so allowed, the said Inspector shall make complaint before the Recorder or acting Recorder of the City of Hoboken of such failure, and the penalty for such failure shall be fifty dollars, and a further penalty of ten dollars for every day the said failure to obey such notice shall continue.

SEC. 344. That if any such owner, agent, lessee, corporation or company can not be found or are beyond the jurisdiction of such Recorder or acting Recorder, said notice shall be affixed to the premises; and upon refusal or neglect to comply with said notice by the owner, agent, lessee, corporation or company, the said Inspector of Buildings shall proceed to repair or remove such dangerous buildings, structures and parts thereof if in his judgment the same is necessary, and the expense thereof shall be paid by the Council from the Contingent Fund, and the amount so paid by the Council shall be recovered according to law as a debt due from the owner of such buiding or structure to the Mayor and Council.

SEC. 345. That if any such owner, agent, lessee, corporation or company being within the jurisdiction of the Recorder or acting Recorder, and being served with said notice, shall fail to comply therewith, the Inspector of Buildings shall immediately, if in his judgment such necessity exists, repair or remove such dangerous buildings, structures or parts thereof, and the amount so paid shall be recovered according to law as a debt due from the owner of such building or structure to the Mayor and Council; but such action of the Council shall not relieve such owner, agent, lessee, corporation or company from liability to any fine previously incurred.

SEC. 346. It shall be the duty of the Inspector of Buildings to notify the tenants in buildings declared un-

safe to vacate said premises, giving them such time as in his judgment he deems wise. If, after the expiration of such time allowed by the Inspector of Buildings such tenants refuse to vacate said premises, said Inspector of Buildings shall make complaint to the Chief of Police or acting Chief of Police, who shall immediately have such tenants removed.

SEC. 347. Boiler rooms and smoke-houses which may hereafter be constructed shall be built throughout of incombustible material. All the openings to such boiler rooms and smoke-houses shall have shutters and doors of metal, or of wood covered on both sides and edged with metal in a manner approved by the said Inspector of Buildings. Any failure to comply with the requirements of this section shall be punished by a fine not exceeding fifty dollars, and a further penalty of ten dollars for every day the said failure shall continue,

SEC. 348. Ladders to scuttles in all new buildings hereafter erected shall be constructed of iron, the same as the ladders of fire escapes. Any failure to comply with the requirements of this section shall be punished by a fine not exceeding ten dollars.

SEC. 349. Any person or persons placing any incumbrance on the balconies of fire escapes shall subject the offender, on complaint of the Inspector of Buildings before the Recorder or acting Recorder, to a fine of ten dollars for every violation.

CHAPTER XXV.

RELATING TO THE ERECTION OF TELEGRAPH POLES.

SEC. 350. No pole shall be hereafter erected in any street in this City by any telegraph company incorporated under any law of this State, unless the consent of the Mayor and Common Council to such erection shall be first obtained, and also the consent in writing of the owner of the soil in front of whose property said pole

or poles are proposed to be erected. No wire shall be stretched across any street of this City or laid under the soil of any public street without permission of the Common Council.

SEC. 351. All telegraph poles erected by any company organized under any law of this State and authorized to erect a telegraph line within the limits of the City of Hoboken shall be straight and free from imperfections; and in length shall be not less than thirty-five feet; and in diameter not less than ten inches at the butt and five inches at the top. All poles of the length and dimensions aforesaid shall be set not less than five feet from the ground. Poles exceeding thirty-five feet in length shall be set six inches deeper in the ground for each additional ten feet in length; and all poles fifty feet long and over shall be in diameter not less than twelve inches at the butt and six inches at the top. No pole shall be set whose diameter shall exceed fifteen inches at the butt.

SEC. 352. All telegraph poles erected within the City shall be painted, and kept well painted in two colors, the first eight feet above the sidewalk in dark brown, the remaining portion in white. No bill posting, marking or signs of any kind shall be permitted on such poles, nor shall any horse or horses be hitched to the same. All telegraph poles erected under this ordinance shall have cast iron plates placed thereon, indicating by what company the same are erected.

SEC. 353. All telegraph wires shall be placed so as to hang not less than twenty feet above street crossings nor less than fifteen feet above the sidewalk over which they are drawn.

SEC. 354. All poles now erected which do not conform to this ordinance shall be removed upon not less than ten nor more than thirty days' notice, to be given by the Street Commissioner to the company controlling the same or its officers, and all poles erected in the place of those so removed shall conform to the provisions of this ordinance.

SEC. 355. All decayed or unsafe poles on any telegraph line shall be removed within twenty-four hours after notice given in writing by the Street Commissioner to the company or its officers in charge of said line.

SEC. 356. No wire shall be attached to any pole erected by the City for fire alarm purposes without the permission of the Common Council.

SEC. 357. All poles erected under the provisions of this ordinance shall be set under the direction and supervision of the Street Commissioner, and the said Street Commissioner is hereby charged with the duty of enforcing a strict compliance with the terms hereof.

SEC. 358. Any person or company who shall violate any of the provisions of this ordinance shall, for every such violation, forfeit and pay the sum of ten dollars, to be recovered in the manner provided in the City Charter for the violation of City Ordinances.

CHAPTER XXVI.

CONCERNING LICENSES.

SEC. 359. The Mayor and Council of the City of Hoboken is hereby authorized to grant licenses, to be countersigned by the City Clerk, to so many and to such persons as they shall think proper, of good moral character, and otherwise qualified according to the provisions of this ordinance, and to incorporated companies to keep and use for hire, hacks, cabs, omnibuses, stages, carts, wagons, street cars, trucks, drays or other carriages or vehicles for the transportation of passengers or merchandise, goods or articles of any description within the City of Hoboken; and also to drivers, hackmen or cartmen of licensed vehicles other than the owners thereof; also to licensed musicians as hereinafter described; and also to bill posters, and also to erect and use bill-boards. The Common Council may from time to time grant license under the hand of the Mayor and the Seal of the City, attested by the City Clerk, to so many and such persons

as they shall think proper, of good moral character, and otherwise qualified according to the provisions of this ordinance, to carry on the trade or business or to act in the capacity of scavengers, hawkers, peddlers, licensed venders, auctioneers, pawnbrokers, junk shop keepers and junk dealers not having a permit and fixed place of business..

SEC. 360. All licenses granted for the purposes mentioned in this ordinance, except those granted to passenger railway companies for the use of street cars, shall expire on the first Monday of June next after the same shall be granted, and shall respectively state the purpose for which the same shall be granted, the number of the license and the location thereof, and the name of the person licensed. All such licenses may be renewed annually by the Mayor and Common Council, subject in all things to the same conditions, provisions and charges as in and for the original license.

SEC. 361. There shall be charged to each person licensed as aforesaid, and paid to the City Clerk for the use of the City on issuing the licenses mentioned in this chapter, the following sums:

For each hack, cab, omnibus, stage, carriage, cart, wagon, truck or dray, five dollars;

For each hawker or peddler, five dollars;

For each hawker, peddler or licensed vender with the privilege of using one wagon or cart, ten dollars;

For each auctioneer, twenty-five dollars;

For each pawnbroker, fifty dollars;

For each junk shop keeper, with the privilege of using one wagon or cart, ten dollars;

For each junk dealer, with the privilege of using one wagon or cart, ten dollars;

For each and every licensed musician, ten dollars;

For each bill-poster, ten dollars;

For each person carrying on the trade of selling beer in bottles, fifty dollars.

In addition to the payment of the above license fees each person shall pay to the City Clerk the sum of two

dollars as his fee for issuing such license.

SEC. 362. Whenever any license hereafter issued to the owner or driver of any hack, cab, omnibus or other carriage or vehicle for the transportation of passengers within the City of Hoboken, a badge containing the number of such license shall be given to such owner or driver, who shall wear the same in a conspicuous plate upon his person while engaged in such occupation.

SEC. 363. The said person so furnished with a badge shall deposit the sum of fifty cents with the City Clerk, which sum of money on the expiration of his license and the return of said badge to the City Clerk shall be returned to such person; and if such badge is not returned to the City Clerk within six months after the expiration of such license, such Clerk shall pay the money so remaining in his hands to the Comptroller, and the licensee shall forfeit the same.

SEC. 364. Any person so licensed who shall refuse or neglect to procure or wear the badge as aforesaid shall pay a penalty of five dollars for every such offense, and his license shall be revoked.

SEC. 365. Every person hereafter licensed as a vender, cartman, hackman, junk-man or scavenger shall, on procuring such license, obtain from the City Clerk two plates, to be furnished by the City, indicating the number of such license and the time during which the same shall be in force, and shall cause one of said plates to be immediately thereafter fastened by firmly screwing or nailing the same in a conspicuous place on each side of the truck, omnibus, stage, cart, wagon, dray or other carriage or vehicle so licensed; provided that one plate shall be firmly fastened in the lamp on each side of all the hacks, cabs, coupes and coaches, under a penalty of ten dollars for every day such carriage or vehicle shall be used or run without having such plates so fixed as aforesaid.

SEC. 366. Any person mutilating, disfiguring, loaning or selling or otherwise disposing of any plate or plates so furnished as aforesaid, shall pay a penalty of five

dollars for each and every offense.

SEC. 367. No person shall play upon or use for the purpose of making music, any instrument called or commonly known as a "hand organ" on the streets, avenues or public places in this City, without having first procured a license for that purpose. All such licensees shall be called "organ grinders" and licensed as such. Any person violating the provisions of this section shall forfeit and pay a penalty of twenty-five dollars for each and every violation thereof.

SEC. 368. Every person and every member of any band of musicians using either string or wind instruments, who shall play thereon from house to house and ask for or receive any contributions of money from people for so playing, shall be required to take out a license for the privilege aforesaid, and every person who shall play upon any string or wind instrument in the public street from house to house and ask or receive any contributions of money from people for so playing without first taking out a license, as hereinbefore provided, shall on conviction thereof forfeit and pay a penalty of fifty dollars for each offense.

SEC. 369. The City Clerk is hereby authorized and directed to furnish every person so licensed a shield or badge with the words "Licensed Musician" printed across the face thereof, which shield or badge shall be worn by the licensee in some conspicuous place upon his person. All such licensees shall be called "Licensed Musicians" and shall be licensed as such. Any person licensed as aforesaid, who shall fail or refuse to wear said shield or badge as aforesaid as above required, shall on conviction thereof forfeit and pay a penalty of fifty dollars.

SEC. 370. Every person licensed as a hawker or a peddler shall on procuring such license obtain from the City Clerk, who is hereby directed to furnish the same, a suitable badge or shield, and shall deposit with the City Clerk therefor a sum equal to the cost thereof, not to exceed the sum of one dollar; at the expiration of said license or on the surrender thereof such badge or shield

shall be returned by the licensee to the City Clerk, who shall thereupon return the deposit fee made therefor, and if any licensee shall fail so to return his said badge or shield he shall be subject to a fine or penalty of five dollars. Every person licensed as aforesaid shall, while engaged in his business as a hawker or a peddler, expose his badge or shield to public view by wearing the same upon some conspicuous place upon his person; if any person so licensed shall fail so to do his license shall thereupon be immediately revoked, and he shall be subject to a fine or penalty of five dollars.

SEC. 371. Any person who shall pursue or carry on the business or occupation of cartman, hawker, junkman, scavenger owner or driver of any hack, car, omnibus, stage, truck, carriage or vehicle used for the transportation of passengers, baggage, merchandise, goods and articles of any kind within the limits of this City, without first procuring a license therefor as provided by this ordinance shall forfeit and pay a penalty of ten dollars for each and every offense.

SEC. 372. Any person who shall pursue or carry on the trade or business of an auctioneer or pawnbroker, of this City without first procuring a license therefor as provided by this ordinance, shall forfeit and pay a penalty of fifty dollars for each and every offense.

SEC. 373. Any person who shall carry any bag, basket or other thing used in the collection of rags, paper and other articles commonly known as junk or engage in the collecting of such rags, paper and other articles, without having first obtained a license for such purpose as required by this ordinance, shall forfeit and pay a penalty of twenty-five dollars for each and every offense.

SEC. 374. Any person within the City engaging in the business of buying or selling old rope, old iron, brass, tin, copper, lead, rags, glass, paper and any other material commonly known as junk, and using in said business a wagon or cart, and not having a permanent and fixed place of business, without obtaining a license for that purpose as required by this ordinance, shall forfeit and

pay a penalty of twenty-five dollars for each and every offense.

SEC. 375. No person or persons, company or corporation shall post bills or erect, maintain or use bill-boards in or upon the streets of this City without a license first had and obtained for that purpose. No person or persons, company or corporation shall post any bill or bills or erect, maintain or use any bill-board in front of any premises unless the consent of the owner of the premises in front of which said bill is posted or bill-board erected, be first obtained. No bill-board license shall be granted unless the person applying therefor shall first file with the City Clerk the written consent of the owner of the premises in front of which said bill-board is erected. Every bill-board shall have conspicuously painted upon it the name or names of the person or persons, company or corporation owning and to whom a license has been issued for the same; and no person or persons shall post any bill upon any such board except the licensed owner of the same or his or her authorized agents.

Any person or persons, company or corporation violating any of the provisions of of this section shall forfeit and pay a penalty of fifty dollars.

SEC. 376. Every person to whom a license shall be granted as a scavenger or night scavenger shall enter into a bond with the Mayor and Common Council of the City of Hoboken, with good and sufficient surety to be approved by the Mayor and Council, in the penal sum of five thousand dollars, conditioned for the due observance of all ordinances of the City of Hoboken and ordinances and regulations of the Board of Health now existing or which may be hereafter adopted, respecting scavengers, night scavengers or the conduct of their business.

SEC. 377. No person shall carry on the business or act in the capacity of a scavenger or night scavenger or clean out or remove the contents of any sink or privy without being first licensed for that purpose by the Common Council, and no person shall keep and use or drive any scavenger cart or wagon of any night scavenger, cart

or wagon within the City of Hoboken without the same being licensed as aforesaid, under the penalty of fifty dollars for each and every violation of any of the provisions of this section.

SEC. 378. Every person licensed as a night scavenger as soon as licensed shall cause his name to be marked in plain letters, and the number to be marked in plain figures at least ten inches in length, in a conspicuous place on each side of the cart or wagon so licensed, under the penalty of ten dollars for every day he shall use or employ any such cart or wagon, without having the same so designated.

SEC. 379. It shall not be lawful for any person licensed as a night scavenger to hire out or sub-let any night scavenger cart or wagon to any person or persons not licensed to act in the capacity of night scavenger, under the penalty of twenty-five dollars for each and every violation of the provisions of this section.

SEC. 380. No night scavenger, collector of bones, or any person shall stop or leave any night scavenger wagon, cart or any other vehicle containing any offensive matter on any street, highway, avenue or alley for a longer period than is actually necessary to collect the material for which said wagon, cart or vehicle is then being used, nor leave any such wagon, cart or vehicle when not in use on any premises, street, avenue or alley where the same may become a nuisance to the occupants of other premises, under a penalty of not less than five dollars nor more than twenty-five dollars for each offense.

SEC. 381. Every license heretofore granted or which shall hereafter be granted may be suspended or revoked by the Mayor and Council on satisfactory cause appearing to them for so doing; and during such suspension, or after such license shall be revoked, such license shall be inoperative and of no effect; and if any person shall, after such revocation of his license, continue to pursue the business or calling for which he may have been licensed, he shall forfeit and pay the sum of twenty-five dollars for every offense, provided that the Mayor and

Council may, for good cause to them appearing, restore his license to any person whose license they may so revoke.

SEC. 382. It shall be the duty of the City Clerk to keep a register of all licenses granted by the Mayor and Common Council, wherein shall be stated the number of the license, the location thereof, to whom issued, and the date thereof. The licenses of the different classes of vehicles mentioned herein shall be kept by distinct members in separate parts of said register.

SEC. 383. Every hack, cab or other carriage for the transportation of passengers licensed as aforesaid, except omnibuses and stages, when driven or used in the night shall have fixed upon some conspicuous part of the outside thereof, two lighted lamps with plain glass fronts and sides, and the number of the license of such vehicle, in plain, legible figures at least two inches in length, without any other figures or device, painted with black paint upon each of the said lamps in such a manner that the same may be distinctly seen and known; and the owner or driver of every hack, cab or other carriage as aforesaid which shall be driven or used in the night without complying with this provision shall severally forfeit and pay the sum of ten dollars for each and every offense.

SEC. 384. Every omnibus or stage for the transportation of passengers, licensed as aforesaid, when driven or used in the night, shall have fixed upon the inside of the front of such omnibus or stage a sufficiently lighted lamp or candle, and shall have the number of its license in plain, legible figures at least three inches in length, without any other figures or device, painted on each front side sash-light of such omnibus or stage in such a manner that the same may be distinctly known and seen by persons either inside or outside; and the owner or driver of any omnibus or stage as aforesaid which shall be driven or used in the night without complying with this provision, shall severally forfeit and pay the sum of ten dollars for each and every offense.

SEC. 385. No person shall hawk or peddle any mer-

chandise, goods or articles of any description within the City of Hoboken or shall drive any peddler's cart or wagon within said City without being licensed as a hawker, peddler or licensed vender by the Common Council as hereinbefore provided, under the penalty of ten dollars for each and every offense.

SEC. 386. All sales at public auction within the City of Hoboken shall be made by a licensed auctioneer.

SEC. 387. Every license which shall be granted to an auctioneer shall designate the house or place in which the person receiving such license shall be authorized to carry on such business; but on special occasions such licensed auctioneer may act as an auctioneer at any other place or places where his services may be required.

SEC. 388. No person or persons shall sell or attempt to sell at public auction within said City any goods, chattels or personal property whatever without being licensed for that purpose by the Mayor and Council as hereinbefore provided, under the penalty of fifty dollars for each and every offense.

SEC. 389. Nothing contained in the foregoing provisions of this ordinance shall be construed to apply to the sale made at public auction under and by virtue of legal process.

SEC. 390. No license shall be granted to any person carrying on the business of a pawnbroker unless he shall be a resident of the City of Hoboken and a citizen of the United States.

SEC. 391. No person shall be licensed as a keeper of a junk shop unless he shall be a resident of the City of Hoboken and a citizen of the United States.

SEC. 392. Every person to whom license shall be granted as the keeper of a junk shop shall enter into bonds to the Mayor and Common Council of the City of Hoboken, with good and sufficient surety to be approved by the Mayor and Council, in the penal sum of five hundred dollars, conditioned for the due observance of all such ordinances of the City of Hoboken as may be passed or enforced respecting junk shops and the keepers

of junk shops at any time during the continuance of such license.

SEC. 393. Every license which shall be granted to any keeper of a junk shop shall designate the house or place in which the person receiving such license shall be authorized to carry on said business.

SEC. 394. Every keeper of a junk shop so licensed as aforesaid shall be authorized to keep at such house or place what is commonly called a junk shop for the purpose and sale of junk, rags, old rope, old iron, brass, copper, tin, lead and other old metals, old bottles, old glass or old tinware, or any second hand article; and it shall be lawful for any keeper of a junk shop so licensed as aforesaid to keep, use and drive a cart or carts, wagon or wagons in the City of Hoboken for the purchase and sale of junk, rags, old rope, old iron, brass, copper, tin, lead and other old metals, old bottles, old glass or old tinware, provided that each cart or wagon so kept, used or driven by him shall be duly and separately licensed, and that every such cart or wagon shall be marked with his name, at length the street and number of his place of business, and the number of his license in plain letters and figures at least two inches in length.

SEC. 395. No keeper of a junk shop shall receive in the line of his business any article or thing by way of pledge or pawn; nor shall he loan or advance any sum of money on the security of any such article or thing, under the penalty of twenty-five dollars for each and every offense.

SEC. 396. No keeper of a junk shop shall receive or purchase any goods, article or thing whatsoever from any minor, apprentice or servant, under the penalty of twenty-five dollars for each and every offense.

SEC. 397. No keeper of a junk shop shall receive or purchase in the way of his business, any goods, article or thing whatsoever from any person or persons whomsoever, between the setting of the sun and the hour of seven o'clock in the morning, under the penalty of twenty-five dollars for each and every offense.

SEC. 398. Every keeper of a junk shop shall provide and keep a book in which shall be fairly written at the time of each purchase a description of the article so purchased, the name and residence of the person or persons from whom such purchase was made, and the day and hour of such purchase.

SEC. 399. The said book shall, at all reasonable times, be open to the inspection of the Mayor and Council, Chief of Police, City Attorney and the Recorder in and for the City of Hoboken, or any or either of them; or of any person who shall be duly authorized in writing for that purpose by any or either of them, and who shall exhibit such written authority to such keeper of a junk shop.

SEC. 400. Every keeper of a junk shop who shall violate or neglect or refuse to comply with any or either of the provisions of sections 398 and 399 of this ordinance, shall for every such offense forfeit and pay the sum of fifty dollars.

SEC. 401. No pawnbroker shall, during the continuance of his license as such, receive or hold a license to carry on the business or trade of keeper of a junk shop; and no keeper of a junk shop shall, during the continuance of his license as such, receive or hold a license to carry on the business of a pawnbroker.

SEC. 402. No person shall use, exercise or carry on the business or trade of a pawnbroker or a keeper of a junk shop without being licensed for that purpose by the Common Council as aforesaid, or shall carry on any such business at any other house or place than the one designated in such license, or shall continue to carry on such business after such license may have been revoked, under the penalty of fifty dollars for each and every offense.

SEC. 403. Every pawnbroker and keeper of a junk shop licensed as aforesaid, shall have and keep a sign on the outside and in front of his shop or other place used by him for carrying on such business, on which shall be plainly set forth in conspicuous letters his name and his

licensed business, under the penalty of ten dollars for each and every week he shall make use of such shop or other place as aforesaid without having such sign so put up and maintained.

SEC. 404. In case any person so licensed as aforesaid shall remove his shop or place of business from the place designated in said license, he or she shall immediately give notice thereof to the Mayor and Common Council, and have the same endorsed upon such license, and the number of his shop and place of business shall thereupon be changed on the sides of the cart or wagon used by such licensed person and made to correspond with such change of shop or place of business.

SEC. 405. If any goods, article or thing shall be advertised in any daily newspaper printed and published in the City of Hoboken, as having been lost or stolen and if the said goods, article or thing, or any such answering to the description of the goods, article or thing so advertised, or any part or portion thereof, shall then be or thereafter come into possession of any pawnbroker or keeper of a junk shop, he or she shall forthwith give information therefor in writing at the office of the Chief of Police, and shall also state from whom the same were received, under the penalty of fifty dollars for every neglect or offense.

SEC. 406. Every pawnbroker or keeper of a junk shop who shall receive or be in possession of any goods, articles or things which may have been lost or stolen, or alleged or supposed to have been lost or stolen, shall forthwith, on a demand to view the same, exhibit the same to the Mayor and Council, Chief of Police, or the Recorder, or any policeman who may be authorized by any of the above mentioned officers or magistrate to make such demand, under the penalty of fifty dollars for every neglect or refusal so to do.

SEC. 407. Any person who shall violate any or either of the provisions of this chapter to which no penalty is attached in any preceding section of this chapter shall forfeit and pay the sum of ten dollars for each and every

offense.

SEC. 408. The Common Council shall from time to time appoint some suitable person License Inspector of the City of Hoboken, who shall, under the supervision, direction and regulations of the Committee on Licenses of the Common Council, make inspection and examination respecting all matters of licenses in the City of Hoboken, except such permits as are now collected by the police authorities of said City, and shall report monthly in writing to said Committee on Licenses, which said Committee shall present said report to the Common Council.

CHAPTER XXVII.

RELATING TO THE REMOVAL OF ASHES AND GARBAGE.

SEC. 409. It shall not be lawful for any person to disturb or in any way interfere with the garbage or refuse matter deposited in some suitable receptacle for removal upon the streets or sidewalks by the owner or occupant of any dwelling or tenement in this City, except the authorized contractor of this City, their agents or employees, without the consent of such owner or occupant, and any person guilty of a violation of this ordinance shall on conviction thereof pay a fine of five dollars.

SEC. 410. It shall be the duty of the contractor or contractors who shall agree to remove and carry away such ashes, offal, garbage and other refuse matter as aforesaid, to furnish a suitable number of carts or wagons, without charge, and to employ such carts or wagons in removing and carrying away such ashes, offal, garbage and other refuse matter to such place or places as may be authorized in accordance with the terms of the contract.

SEC. 411. The inhabitants or housekeepers of the City are hereby required to have all ashes, offal, garbage and other refuse matter on their respective premises,

ready for the contractor, in light tubs, barrels, boxes or buckets; and on the ringing of a bell by the said contractor or upon such other and sufficient notice, the said inhabitants or housekeepers are required to permit the contractor to remove and carry away said ashes, offal, garbage and other refuse matter as aforesaid; and it shall be the duty of the owner or tenant of the premises to remove such receptacles within one hour after the same shall have been emptied by the contractor.

Any person who shall neglect or refuse to comply with any of the provisions of this section, and shall allow or permit any offal or garbage to remain in or upon the premises occupied by him or her, after such premises have been so visited by a contractor as aforesaid, shall forfeit and pay ten dollars for every such offense.

CHAPTER XXVIII.

RELATING TO WEIGHTS AND MEASURES, AND PRESCRIBING THE DUTIES OF THE CITY SEALER OF WEIGHTS AND MEASURES.

SEC. 412. It shall be the duty of the City Sealer of Weights and Measures and he is hereby authorized to inspect and examine, at least once in each and every year, and as much oftener as he may think proper, all weights, measures, scale-beams, patent balances, steelyards and other instruments used in weighing or measuring any article intended to be purchased or sold in the City of Hoboken.

SEC. 413. All persons using weights, measures, scale-beams, patent balances, steelyards or any other instrument in weighing or measuring any article intended to be purchased or sold in the City of Hoboken, shall cause the same to be sealed and marked by the City Sealer of Weights and Measures in said City. All measures of extension on counters or other fixtures shall be marked by brass-headed nails, or nails of such other material and

of such size as may be plainly seen and distinguished.

SEC. 414. Any person who shall in weighing or measuring any article for purchase or sale within the City of Hoboken, use any weight, measure, scale-beam, patent balance, steelyard or other instrument not sealed and marked as is required by section 413 of this ordinance, shall forfeit and pay twenty-five dollars for every such offense.

SEC. 415. All weights, measures, scale-beams, patent balances, steelyards and other instruments for weighing or measuring, to be sealed and adjusted by the City Sealer of Weights and Measures in the City of Hoboken shall be made conformable to the standard of weights and measures of this State, and shall be marked by him with the initials of his name, and the year in which the same shall be sealed and marked.

SEC. 416. If any person shall use in the City of Hoboken, in weighing or measuring as aforesaid, any weight, measure, scale-beam, patent balance, steelyard or other instrument which shall not be conformable to such standard, or shall use in weighing as aforesaid any scale-beam, patent balance, steelyard or other instrument which shall be out of order or incorrect, or which shall not balance, he, she or they shall forfeit and pay twenty-five dollars for every such offense; and if any such weight, measure, scale-beam, patent balance, steelyard or other instrument shall be found in the possession of any dealer or vender, such possession shall be deemed and taken as prima facie evidence of the use thereof by the person or persons in whose possession the same is found.

SEC. 417. The Weighmaster shall be entitled to receive and demand the following fees for inspecting and examining weights, measures, scale-beams, patent balances. steelyards and other instruments for weighing and measuring used in the City of Hoboken:

For every weight of fourteen pounds or upwards, three cents;

For every weight of a smaller denomination, one and

a half cents;

For every liquid measure, two cents;

For every yard and dry measure, three cents;

For every scale-beam, patent balance, steelyard or other instrument for weighing, three cents.

SEC. 418. All weights, measures, scale-beams, patent balances, steelyards and other instruments used for weighing and measuring shall be inspected and examined at the stores and places where the same may be used; but in case they or any of them shall be found not conformable to the standard of this State, they may be adjusted, sealed and marked by the said Weighmaster at the store or place where the same may be used, or they shall be sent by the owner thereof, at his expense, to the office of the Weighmaster for the purpose of being adjusted, sealed and marked within three days after the owner thereof shall be required so to do in writing by the said Weighmaster, under the penalty of ten dollars for every such neglect.

SEC. 419. It shall not be lawful for the said Weighmaster to make the aforesaid charges for inspecting and examining weights, measures, scale-beams, patent balances, steelyards or other instruments used for weighing and measuring more than once in each year, unless they shall be found not conformable to the standard.

SEC. 420. The said Weighmaster shall be entitled to demand and receive the following fees for sealing and marking weights, measures, scale-beams, patent balances, steelyards and other instruments for weighing and measuring used in the City of Hoboken:

For sealing and marking any scale-beam, patent balance, steelyard or other instrument in the City of Hoboken, as follows:

If the same be gauged to weigh one hundred pounds and under, twelve cents; and if from one hundred pounds to two hundred and fifty pounds inclusive, twenty-five cents; from two hundred and fifty pounds to five hundred pounds inclusive, fifty cents; for five hundred pounds to one thousand pounds inclusive, seventy-five cents; for

one thousand pounds to fifteen hundred pounds to two thousand pounds inclusive, one dollar and fifty cents, and over two thousand pounds, two dollars.

For sealing and marking measures of extension on any counter or other fixture, for one yard, together with its sub-divisions so measured, sealed and marked, the sum of twenty-five cents; and for every additional yard with its sub-divisions so sealed and marked, the sum of twelve cents. The owner of such counter or other fixture shall furnish the proper nails for marking such measures. For sealing and marking all other measures of extension, at the rate of twelve cents per yard, but not to exceed fifty cents for any measure. For sealing and marking every weight, three cents. For sealing and marking liquid and dry measures: For every measure under one gallon, three cents; for one gallon and over, five cents each gallon. For sealing and marking every measure of half a bushel, ten cents; and for every measure of a smaller denomination, five cents; and for every measure of one-half bushel or over, twenty-five cents.

SEC. 421. The fees of the said Weighmaster shall be paid by the owner or person in possession of the weights, measures, scale-beams, patent balances, steelyard or other instruments used for weighing and measuring at the time the same shall be inspected and examined or sealed and marked as aforesaid; and in default thereof such owner or person shall forfeit and pay twenty-five dollars for such default.

SEC. 422. The Weighmaster shall have charge of all the standard beams, weights and measures belonging to the City, and shall carefully keep and preserve the same; and upon the expiration of his term of office or his resignation thereof, or removal therefrom, deliver the same to his successor in office or to any person duly authorized by the Council to take possession thereof.

SEC. 423. That in lieu of the fees allowed by this ordinance the Weighmaster shall charge for and receive for inspecting and examining every weight of fourteen pounds or upwards, two cents;

For a weight of smaller denomination, one cent;
For every liquid measure, two cents;
For every yard and dry measure, two cents.

For every scale-beam, patent balance, steelyard or other instrument in the City of Hoboken, as follows:

If the same be gauged to weigh one hundred pounds and under, nine cents; and if from one hundred pounds to two hundred and fifty pounds inclusive, eighteen cents; from two hundred and fifty pounds to five hundred pounds inclusive, thirty-five cents; from five hundred pounds to one thousand pounds inclusive, fifty cents; from one thousand pounds to fifteen hundred pounds inclusive, seventy-five cents; from fifteen hundred pounds to two thousand pounds inclusive, one dollar; and over two thousand pounds, one dollar and twenty-five cents.

SEC. 424. No person shall refuse to exhibit any weights, measures, scale-beams, patent balances, steelyards or other instruments to the City Sealer of Weights and Measures for the purpose of being examined and inspected as aforesaid, under the penalty of twenty-five dollars for every such offense.

SEC. 425. No person shall in any way or manner obstruct, hinder or molest the said Sealer of Weights and Measures in the performance of his duties as hereby imposed upon him, under the penalty of twenty-five dollars for every such offense.

SEC. 426. All weights, measures, scale-beams, patent balances, steelyards and other instruments used for weighing and measuring, shall be inspected and examined at the stores and places where the same may be used; but in case they, or any of them, shall be found not conformable to the standard of this State, they may be adjusted, sealed and marked by the said City Sealer of Weights and Measures at the store or place where the same may be used, or they shall be sent by the owner thereof, at his expense, to the office of the City Sealer for the purpose of being adjusted, sealed and marked, within three days after the owner thereof shall be re-

quired so to do in writing by the said Sealer, under the penalty of ten dollars for every such neglect.

SEC. 427. It shall be the duty of the said Sealer of Weights and Measures to keep a register of all the weights, measures, scale-beams, patent balances, steelyards and other instruments used for weighing or measuring, inspected and examined by him, in which he shall state the names of the owners of the same, and whether the same on inspection were found to be correct; and, if found to be incorrect, whether the same were properly adjusted, sealed and marked by him. Such register shall be kept in his office in a book to be provided for that purpose, and at the close of each and every fiscal year he shall file a duplicate of said register in the office of the City Clerk.

SEC. 428. It shall not be lawful for the City Sealer of Weights and Measures to sell any weights, measures, scale-beams, patent balances, steelyards or other instruments to be used for weighing, or measuring or to offer or expose the same for sale in the City of Hoboken, under the penalty of fifty dollars for every such offense.

SEC. 429. The City Sealer of Weights and Measures shall have charge of all the standard beams, weights and measures belonging to the City, and shall carefully keep and preserve the same; and upon the expiration of his term of office or his resignation thereof or removal therefrom, he shall forthwith, on demand, deliver the same to his successor in office or to any person duly authorized by the Common Council to take possession thereof.

CHAPTER XXIX.

RELATING TO ASSESSMENTS FOR LOCAL IMPROVEMENTS.

SEC. 430. That when the Commissioners of Assessment of the City of Hoboken shall have determined upon any assessment for any improvement and shall have made a table or statement showing each lot or parcel

of land which may be assessed, and the amount to be assessed thereon, and the name of the person or persons to whom such parcels will be respectively assessed, they shall before reporting such assessment to the Council, give a written or printed notice to each person proposed to be assessed, which notice shall be served personally upon the owner of each parcel or lot so to be assessed, if such owner can be found in the City, and if such owner can not be found in the City then such notice shall be mailed to him or her if his or her post office address can be ascertained, postage pre-paid; and if such address can not be found, then such notice shall be posted on the property to be assessed ten days before the time of hearing objections hereinafter mentioned, which notice shall inform the person to be assessed of the property which will be assessed, and of the amount of such assessment, and what the same is for, and shall inform such owner of the time and place, when and where any objections to said proposed assessment will be heard.

SEC. 431. That at such time and place said Commissioners shall hear and consider any objections presented, and having considered the same they shall correct said proposed assessment if they shall determine any corrections to be necessary, and shall thereupon report such assessment to the Council, and in case no one shall appear to object such assessment shall forthwith be reported to the Council, and any report shall state what objections were made, if any, and what corrections were made, if any.

SEC. 432. That said Commissioners shall determine the proper expense to be incurred in each case for the giving of the said notices, and shall include the said expense as part of the incidental cost of such improvement, and shall assess the same according to law.

SEC. 433. The compensation to be paid to the Commissioners of Assessment shall be a percentage on the total amount of contractor's bill for each improvement for which assessment is made, which percentage shall be equally divided among the said Commissioners.

SEC. 434. That the percentage to be paid to said Commissioners shall be as follows, to wit: On all improvements the contract cost of which does not exceed five thousand dollars ($5,000), one and one-half per centum on such cost; on such costs over five thousand dollars and not exceeding fifteen thousand dollars, eight-tenths of one per centum; on such costs over fifteen thousand dollars and not exceeding twenty-five thousand dollars, five-tenths of one per centum; on such costs over twenty-five thousand dollars and not exceeding fifty thousand dollars, three-tenths of one percentum; on such costs over fifty thousand dollars and not exceeding one hundred thousand dollars, two-tenths of one per centum; and on such costs over and above one hundred thousand dollars, one-tenth of one per centum.

SEC. 435. That in case a re-assessment of any improvement previously assessed by said Commissioners shall be directed by the Council, the said Commissioners shall not be entitled to extra compensation.

SEC. 436. That the compensation to which said Commissioners are entitled to under this ordinance shall be added to and included in the cost of the improvement on which the compensation is payable, and shall be assessed in the same manner as other costs of said improvement.

SEC. 437. That the map entitled "Assessment Map of the City of Hoboken, Hudson County, N. J., made from joint surveys by Messrs. Charles B. Brush and Beyer & McCann, City Surveyors, 1891," be and the same is hereby constituted the official map of the City for the purposes for which the same was made.

SEC. 438. That it shall be the duty of the City Clerk, Water Registrar, Assessor, Collector and City Surveyors and other officials in making out bills for taxes, water rents and assessments to conform to the method of designating property and numbering blocks, lots and houses by using the system laid down on said map.

SEC. 439. That all buildings erected or to be erected in the City of Hoboken shall be numbered hereafter to correspond with the numbers shown on said map.

CHAPTER XXX.

RELATING TO THE SINKING FUND.

SEC. 440. That there shall exist in the City of Hoboken a board to be known as the Sinking Fund Commissioners, to be constituted of the Mayor, City Treasurer, Comptroller, Chairman of the Committee on Finance of the Council and the Corporation Attorney, of which number the Mayor shall be ex-officio President.

SEC. 441. That the members of such board shall serve without salary or other compensation than that received for the performance of the duties for the respective offices to which they are elected or appointed, and they shall have full power and authority, and it shall be their duty to order the safe investment of any and all moneys which the City may receive from the collection of taxes, assessments or other sources which may be specially pledged in the tax appropriation of any year by legislative act or otherwise for the payment of the principal and interest, or either, on any bonds heretofore issued or hereafter to be issued by authority of law by the Mayor and Common Council of the City of Hoboken.

SEC. 442. That the said Sinking Fund Commissioners shall have power to invest and re-invest the moneys which shall come to their hands as aforesaid in bonds of the City, County, State or of the United States, at the best rate of interest which the said Sinking Fund Commissioners may be able to receive upon said investment.

SEC. 443. That the said Commissioners shall create a fund to be known as the "Sinking Fund" into which all moneys collected by any department of the City government for the purpose aforesaid shall be placed, under the jurisdiction and control of the said "Sinking Fund Commissioners" so to be invested as aforesaid.

And the said Commissioners shall have power and they are hereby authorized to designate the bank or banks where the moneys in the fund so created shall be deposited; and said money shall be deposited only in the

name of the "Sinking Fund Commissioners of the City of Hoboken," and not in the name of any official. That said money so deposited shall be drawn out for the purposes aforesaid only upon a warrant or draft properly signed by the Mayor of said City as President of said board, countersigned by the Comptroller of the City as Secretary of such board; and that the members of the said board before entering upon the performance of the duties of their office shall qualify for the same in a bond to be approved by the Mayor and Common Council of the City of Hoboken in the sum of five thousand dollars, excepting when said members have already furnished in their official capacity to the City a bond for the performance of the duties of their respective offices.

SEC. 444. That the said "Sinking Fund Commissioners" shall meet at the City Hall on the first Monday in June in each year and as often thereafter as the Mayor, as President of said board, may find it necessary to convene the said commission for the purpose of performing their duties under this ordinance.

CHAPTER XXXI.

CONCERNING THE LICENSING AND REGULATION OF THEATRES AND CONCERT HALLS.

SEC. 445. No person or persons shall manage or exhibit within the limits of the City of Hoboken any theatre or theatrical establishment, unless such person or persons shall first obtain a license for said purpose as hereinafter mentioned, under a penalty of one hundred dollars for each and every exhibition given in such theatre or theatrical establishment.

SEC. 446. That the Mayor and Council of the City of Hoboken, on written application to them for that purpose made, in their discretion, give or grant permission to any person or persons to manage or exhibit any the-

atre or theatrical establishment within the limits of said City.

SEC. 447. That prior to opening to the public any such theatre or theatrical establishment, and after the permission granted as aforesaid, the person or persons desiring said license shall obtain from the City Clerk of the City of Hoboken, a license in writing, permitting the opening of such theatre or theatrical establishment and exhibitions therein, upon first paying to said Clerk one hundred dollars as a license fee to the City, and two dollars to the said Clerk for his fee, upon receipt of which the City Clerk shall endorse upon said license the payment of said fees, which license shall expire at the period of one year from the time of the granting thereof, and no person or persons shall exhibit in any theatre or theatrical establishment until said license has been obtained and the payment of said fees endorsed thereon, under the penalty aforesaid.

CHAPTER XXXII.

TO PREVENT VICE AND IMMORALITY, TO PRESERVE PUBLIC PEACE AND GOOD ORDER, AND FOR OTHER PURPOSES.

SEC. 448. No person or persons shall on the first day of the week, commonly called Sunday, sell, dispose of or deliver for money or any other thing of value, or on credit, or shall cause or permit to be sold or delivered, any spirituous, malt, vinous, fermented or intoxicating liquors, or lager beer, or sour wines, in any saloon, restaurant or other place within the limits of the City of Hoboken. And no person or persons shall, on the first day of the week, commonly called Sunday, cause or permit the store, shop, saloon, cellar or place of business or other place by him, her or them occupied, to be open for the sale of any spirituous, malt, vinous, fermented or intoxicating liquors, or any lager beer, or

sour wines. And no person or persons shall on the first day of the week, commonly called Sunday, cause, suffer, or permit any person to assemble in his, her or their store, shop, saloon, cellar or other place of business by him, her or them occupied, for the purpose of there drinking of any such liquors as aforesaid.

And any person who shall violate any of the provisions of this section shall for every such offense forfeit and pay the sum of ten dollars or be imprisoned for the term of four days.

SEC. 449. No person or persons shall on the first day of the week, commonly called Sunday, sell, dispose of or offer or expose for sale, or cause or permit to be sold, disposed of or offered or exposed to sale, any cigars, oysters or confectionery, under the penalty of ten dollars for each offense.

SEC. 450. No person shall keep or maintain a disorderly house or house of ill-fame, under the penalty of fifty dollars for each and every offense. Every person or persons who shall allow or permit his, her or their house, shop, store or other place connected therewith to be used, frequented or resorted to by riotous or disorderly persons, gamblers, vagrants or common mendicants between the hours of five o'clock in the evening and seven o'clock in the morning, shall forfeit and pay the sum of fifty dollars for each and every offense. Any person who shall make or assist in making any riot, noise or disturbance at any house, shop, store or other place within the City of Hoboken where dancing or other amusements are permitted, shall forfeit and pay the sum of fifty dollars for each and every offense.

SEC. 451. No person or persons shall set up, keep or maintain, or permit to be set up, kept or maintained in any house or premises occupied by him, any faro table, faro bank, roulette or other device or game of chance, hazard or address for the purpose of gaming; or any boxing ring, cock pit or other place for the exhibition of animals in fight, under the penalty of fifty dollars for each offense. And it shall be the duty of the police

and they are hereby authorized and empowered to enter upon any premises where any instrument or devices employed in gaming shall be used contrary to the provisions of this ordinance; and, except in the case of ball alleys, bowling alleys and billiard tables, to carry away and destroy the same.

SEC. 452. No person shall deal, play or engage in faro, roulette or other device or game of chance, hazard or address either as banker, player, dealer or otherwise, for the purpose of gaming, under the penalty of ten dollars for each offense.

SEC. 453. No person or persons, unless duly licensed according to law, to keep an inn and tavern or a victualling house with the privilege of retailing spirituous liquors, shall sell, dispose of or deliver for money or any other thing of value, or on credit, or shall knowingly permit or cause to be sold, disposed of or delivered for money or any other thing of value, or on credit, on his, her or their account or on account of any other person or persons whatsoever, by less measure than one quart, any distilled or ardent spirits or spirituous liquors, or any other liquid of which distilled or ardent spirits or spirituous liquors form a component part, except such as are compounded, used and approved for medicine; or having sold, disposed of or delivered as aforesaid to one or more persons one quart, or any greater measure than one quart, of any distilled or ardent spirits or spirituous liquors or any other liquids of which distilled or ardent spirits or spirituous liquors shall form a component part, shall encourage, permit or allow any person or persons to drink and tipple thereof in his, her or their house, outhouse, shed, garden, tenement or in any place in his, her or their occupancy, under the penalty of ten dollars for each and every violation of the provisions of this section.

SEC. 454. If any person shall be drunk or shall be in the state of intoxication in any street, highway, thoroughfare or public place within the City or in any private house or place, to the annoyance of any citizen or person,

he shall on conviction thereof forfeit and pay the sum of two dollars or be imprisoned for a term not exceeding ten days.

SEC. 455. It shall be the duty of each and every police officer to arrest, on his personal view, any person so drunk or intoxicated, and him or her forthwith to bring or cause to be brought before the Recorder of the City of Hoboken; and it shall be lawful for the said Recorder before whom such person shall be brought, on his personal view or on the confession of such person or on due proof that such person has been so drunk or intoxicated, to convict such person thereof, and on such conviction to sentence such person to forfeit and pay a fine as aforesaid, or to imprisonment as aforesaid, and to pay as the costs of such conviction to the Recorder of the City of Hoboken as may be allowed by law.

SEC. 456. Each and every person being a vagrant, common mendicant or street beggar, shall on conviction thereof, forfeit and pay a sum not exeeeding twenty-five dollars or be imprisoned for a term not exceeding ten days.

SEC. 457. No person shall appear in any street or public place in a state of nudity or in a dress not belonging to his or her sex, or in an indecent or lewd dress, or shall make any indecent exposure of his or her person, or be guilty of any lewd or indecent act or behavior, or shall exhibit, sell or offer to sell, any indecent or lewd book, picture or thing, or shall exhibit or perform any indecent, immoral or lewd play or other representation, under the penalty of ten dollars for each and every offense.

SEC. 458. Any person or persons who shall make, aid, countenance or assist in making any improper noise, riot, disturbance or breach of the peace in the streets and highways or elsewhere within the City, and all persons who shall collect in bodies or crowds for idle or unlawful purposes to the annoyance or disturbance of citizens or travelers, shall severally forfeit and pay a sum not less than one dollar nor more than twenty-five dollars.

SEC. 459. Any person or persons who shall dequiet or disturb any congregation or assembly met for religious worship in any church or other building, by making a noise or by rude or indecent behavior or profane discourse within their place of worship, shall severally forfeit and pay a sum not less than one dollar nor more than twenty-five dollars.

SEC. 460. No person shall inhumanly, unnecessarily or cruelly beat, injure or otherwise abuse any dumb animal, under the penalty of ten dollars for each and every offense.

SEC. 461. No person shall engage in any practice, sport or exercise having a tendency to frighten horses or other animals or to annoy persons passing in the streets or on the sidewalks of the City, under the penalty of five dollars for each and every offense.

SEC. 462. Any person who shall injure or destroy or assist in injuring or destroying any public building or other property belonging to the City, shall forfeit and pay a sum not less than three dollars nor more than twenty-five dollars, or be imprisoned for a term not exceeding ten days; and shall furthermore be liable for all damage or injury done.

SEC. 463. No master, owner or agent of any steamboat, ship, vessel or boat whatever, or any stage, car or other land carriage or vehicle, shall land or put down or cause or permit to be landed or put down from any other such steamboat, ship or other vessel, stage, car or other vehicle, any alien pauper, vagrant, sick, infirm or insane person or such other alien that may appear to have no visible means of support or that can not make it appear that he or she is entitled to a residence in the City of Hoboken, unless such owner, master or agent shall first execute a bond to the Mayor and Common Council of the City of Hoboken in the penal sum of three hundred dollars, with good and sufficient security to be approved by the Mayor, conditioned that no such passenger shall become a charge upon the said City for the term of one year from the date of said bond, under the

penalty of fifty dollars for each and every passenger as aforesaid so landed or put down within the City limits.

SEC. 464. It shall be the duty of the police and they are hereby authorized and empowered to apprehend and detain until daylight, all offenders against the peace and all persons who may obstruct or endanger them, or any of them, in the execution of their office, or who shall be guilty of any disorderly conduct, or shall be engaged in any riots, rows, unlawful assemblages, outcries, noises, insurrections or other alarm or disturbance whatever, or shall aid, abet or assist or countenance others in the commission of either of the said offenses. The policemen are also authorized to enter any dwelling house, store, shop or other building where any felon is harbored or secreted, or where persons are who have during the night and in their presence and hearing committed any breach of the peace, or where any felony or breach of the peace is about to be committed, or where any noise or alarm, outcry or other disturbance shall be made, in like manner as Constables and other peace officers are authorized by law. All persons so apprehended by the police officers shall be detained at the station house without danger from the severity of the cold, and the sexes shall be kept apart.

CHAPTER XXXIII.

CONCERNING THE DRIVING AND SLAUGHTERING OF CATTLE.

SEC. 465. That if any person or persons shall drive or cause to be driven in or upon any sidewalk in said City any cattle, horses, sheep, swine or other animals, or if any person driving or having in charge any cattle or other animals aforesaid, shall permit, suffer or allow the same or any of them to go upon any sidewalk in said City, every person or persons so offending in the premises shall be liable to pay a fine of five dollars for every

head of cattle, horses or other animals aforesaid which shall be so driven or permitted to go upon said sidewalk.

SEC. 466. That if any person driving or having in charge any cattle, sheep or swine shall suffer, permit or allow any such cattle, sheep or swine to stop, stand still or lodge in or upon any street or sidewalk in said City, every person so offending in the premises shall be liable to pay a fine of ten dollars for every such offense.

SEC. 467. That hereafter droves of cattle, horses, sheep, swine or other animals shall not be driven through the streets of Hoboken between eight o'clock in the morning and six o'clock in the evening, under a penalty of ten dollars for each and every offense.

SEC. 468. That no person or persons shall keep or maintain a slaughter-house within the limits of the City of Hoboken, under a penalty of fifty dollars for every day the same shall be kept and maintained for the purpose of slaughtering animals therein.

SEC. 469. That no person or persons shall slaughter or in any way assist in slaughtering any cattle, animal or animals within the City limits of the City of Hoboken, under a penalty of fifty dollars for each offense.

CHAPTER XXXIV.

CONCERNING LOCOMOTIVE ENGINES AND RAILROAD CARS.

SEC. 470. It shall be lawful for the Common Council of the City of Hoboken, by resolution, to direct and require any railroad company to station a signal man at any point or place where the railroad track or tracks of such company shall or may cross or run along any street of such City, to give warning both by day and night of the approach of the locomotive engines and railroad cars of any description of said company. Every such resolution duly passed by the Common Council and approved by the Mayor shall be published for the space of twenty days in the official newspaper printed

and published in the City of Hoboken, and a copy thereof, duly certified by the City Clerk, shall be served on any officer or agent of said company residing or found in the City of Hoboken. And such railroad company, from and after the time of such publication and service as aforesaid, shall station a signal man at the point or place designated in the resolution of the Common Council to give warning of the approach of the locomotive engines and railroad cars of any description of said company, under the penalty of ten dollars for every time any locomotive engine or railroad car shall pass at such point or place without such flagman being stationed and such warning being given, to be forfeited and paid by the said company or the engineer or conductor in whose charge such locomotive engine or railroad car may be, severally and respectively.

SEC. 471. No locomotive engine or railroad car or train of cars shall encumber or obstruct any sidewalk or cross-walk or any street in the City of Hoboken for a longer period than is absolutely necessary for the safe and expeditious discharge of passengers only, under the penalty of twenty-five dollars for each offense, to be forfeited and paid by the railroad company owning or using such locomotive engine or railroad car or train or cars or the agent, engineer or conductor in whose charge such locomotive engine, railroad car or train or cars may be, severally and respectively.

SEC. 472. No railroad company shall lay down any rail or rails, or railroad track or tracks, or shall alter the grade or location of any rail or rails or railroad track or tracks in, across or along any street in the City of Hoboken, except when directed and required by the Common Council to alter the grade or location thereof, without having first given thirty days' notice to the Common Council of the desire and intention of the said railroad company to lay down or alter the grade or location of such rail or rails, railroad track or tracks, under the penalty of fifty dollars for each and every violation of any of the provisions of this section, to be forfeited

and paid by the said company and the person or persons laying or altering the same, severally and respectively.

SEC. 473. At the several points or places where the railroad track or tracks of any railroad company shall or may cross or intersect any street that is now or may hereafter be regulated, graded and curbed, such railroad company shall cause the said railroad track or tracks, to the full width of said street, to be paved, flagged or planked, and eight feet on either side thereof to be flagged with good and sufficient flagging stones not less than four inches in thickness, or with round or paving stones well and properly laid. All such paving, flagging or planking shall be executed to the satisfaction of the Street Commissioner and shall be kept and maintained in good repair by the said railroad company.

SEC. 474. No locomotive engine shall be run and driven or propelled over or upon any railroad track or tracks within the City of Hoboken, unless the same shall be furnished with the most approved apparatus or adjustment to prevent the communication of fire from flying sparks and cinders to property near to the said track or tracks, under the penalty of fifty dollars for each and every violation of any of the provisions of this section, to be forfeited and paid by the railroad company running or using such locomotive engines.

CHAPTER XXXV.

CONCERNING STREET RAILWAYS.

SEC. 475. All street railroad companies in the City of Hoboken and all individuals to whom any right or privilege of laying down any railroad track or tracks in said City shall be granted, shall be (as shall such grant also be) subject to the limitations, provisions, terms and conditions hereinafter set forth and provided, and every such company and all such individuals shall be held and deemed to hold their rights and privileges to lay and

use such track or tracks under, upon and subject to all and singular of the said terms, limitations, restrictions, provisions and conditions.

SEC. 476. It shall be the duty of every such company and all such individuals to employ careful, sober and prudent agents, conductors and drivers to take charge of their car or cars when upon their road, and for the violation of the City ordinance on the part of any such officer or officers, employee or employees upon such road, and for all injuries caused by any neglect, misconduct or carelessness of its agents, servants or employees, or any of them, the company or individual, proprietor or proprietors of the road shall be liable to all fines, forfeitures, penalties and damages arising therefrom or by ordinance attached thereto, provided, however, that nothing in this ordinance shall be deemed or taken to excuse, discharge or in any manner free any such officer or employee from the penalties or responsibilities of any such violation or other acts by them committed.

SEC. 477. The Common Council reserves and shall have the power to prescribe the frequency of the trips of the cars of any street railway company, when in their judgment necessary or proper for the public convenience. Every street railway company owning or operating a street railway in this City shall cause its time tables of trips, adopted pursuant to the preceding section and approved by the Committee of the Common Council on Streets, to be printed in suitable and convenient form and posted conspicuously in each of its cars. All cars shall be run in strict compliance with said schedule and at a uniform rate of speed. No car shall be run with increased speed at or near points where its line meets a competing line, and each car shall be promptly stopped on call.

SEC. 478. All street railway companies in this City to whom the right of laying down any railroad track or tracks in the streets of this City has been heretofore or shall hereafter be granted, shall use cars having a front and back platform and double brakes.

SEC. 479. The cars of any street railway company shall not be allowed to obstruct the cross-walks nor to stop at the corner of any street or elsewhere to solicit passengers. It shall also be the duty of the conductors and drivers of the cars to give ample notice to drivers of vehicles and pedestrians of their approach, and also to afford all reasonable opportunity for them to avoid collision or accident; and any neglect by any such conductor or driver to comply with the provisions of this section shall be punishable by a fine of five dollars, to be recovered before the Recorder of the City; and the Mayor and Common Council of the City are, in case of the violation of either of the provisions of this section, empowered to revoke the license of any car the conductor or driver whereof shall be guilty of such violation of the provisions of this section, or either of them, and such car shall not be permitted to be again placed upon the road until such license is renewed.

SEC. 480. Should any such company, corporation or individual, proprietor or proprietors neglect to run cars upon their road or roads for the accommodation of the public for the space of three consecutive months, the Common Council reserve the right to rent said road or roads to any other person or persons, company or companies who will be willing to run cars on the same; or in the event of the Common Council being unable so to rent said road or to place cars upon the same for six months after the same shall have been abandoned as aforesaid by the company or individual or individuals owning the same, then and in such case the Common Council reserve the right to cause the said road or roads to be removed from the streets and highways of the City, and to sell or dispose of the materials thereof, and after paying therefrom all expenses of such removal and sale and of repairing said street or highway, pay the balance, if any, to the legal representative of said defaulting company or owner or owners.

SEC. 481. No greater sum shall be charged or received as fare or toll for the carrying of passengers for

any distance within the City limits than five cents for each passenger over ten years of age; and no greater sum shall be charged or received as fare or toll for the carrying of children between the ages of seven and twelve years on any street railway within the City limits than three cents for each child. The Committee on Licenses hereby are empowered to revoke the license of any car which is not run in accordance with the provisions of this section.

SEC. 482. Bells of proper size and tone to notify foot passengers and others passing in or crossing the streets or highways in which any railroad shall be constructed, of the approach of the cars.

SEC. 483. The cars used upon all railways in the City of Hoboken shall be of proper and convenient size and number for the proper accommodation of the travelers thereupon, and shall be in all respects convenient for the purpose.

SEC. 484. Every street railway company or the proprietor or proprietors of any such company to whom the right has heretofore been given or may hereafter be given to lay track or tracks in any of the paved streets of this City, shall pave the roadway between the tracks of such railway and at least twelve inches on the outside of each rail with such material and in such manner as shall be required by the Common Council, when the consent necessary by law to be obtained for the paving of such track or tracks shall be given, or at any time thereafter; such pavement when laid, to be one-half of one inch above the rail, and such paving shall be done under the supervision and satisfaction of the Street Commissioner, and said railway shall be kept in good condition and repair by the company and to the satisfaction of the Street Commissioner. Whenever any unpaved street through which or upon which street railway tracks are laid is ordered paved by the Common Council then the company owning or operating such railway tracks, or the proprietor or proprietors thereof, shall pave the same in the manner above described and shall

also pave at the intersection or crossing of any other railway tracks the whole distance between the rails at the said crossing, and at all cross-walks the said pavement shall be continued along the rail. The proprietor or proprietors of such railway tracks shall be subject to all other paving now required by the ordinance of the City of Hoboken, and at the crossings at streets or the gutters thereof, which said railway shall pass over a proper culvert covered with iron or stone, the whole width of the street shall be laid at the cost or expense of the proprietor or proprietors of such railway tracks, and shall be constructed under the direction of the City Surveyor and Street Commissioner, subject to the approval of the Street Committee of the Common Council, and no person or persons shall be permitted to lay more than one track for horse cars in any street in the City of Hoboken, unless by consent of the Common Council.

SEC. 485. The proprietor or proprietors of any street railway shall remove any gravel, dirt, materials or other obstructions placed by him or them on any street within forty-eight hours after notice shall have been given to him or them or to any officer of said proprietor or company by the Street Commissioner, and if he or they shall fail to comply with the provisions of this section according to the terms of the notice served upon him or them, the Street Commissioner shall cause such paving, repaving and repairing said street to be done and remove such gravel, dirt, materials or other obstructions, the cost of which shall be collected of and from such proprietor or proprietors by the City of Hoboken.

SEC. 486. Each and every street railway company or the individual or individuals owning any such passenger railway, shall pay to the City Clerk in the month of January of each year, for the use of the City of Hoboken, ten dollars for each car to be run on their road, and for each and every car placed upon any road before the time herein provided for paying the license a proportionate sum shall be paid until the succeeding January, and no car shall be placed or run upon any road or street

until it shall be regularly licensed and a certificate duly numbered hung in a conspicuous place in said car.

SEC. 487. No connection of one railroad with another shall be made in the City of Hoboken without the consent and authority of the Common Council first had and obtained; and the Common Council may authorize any such connection at their discretion for the purpose of completing a route or making a circuit, and also the use for such purpose by the owners of any railroad of the railroad wherewith the same shall be so connected, from the place of said connection for any distance not exceeding one mile, the owner or owners of the railway with which such connection may be so made to receive from the owner or owners of the connecting railway such compensation and that road to be used on such terms and conditions as they may mutually agree upon, for such use of the railway with which such connection may be made, or in case of their failure to come to a mutual agreement thereupon, then on such terms and conditions and for such sum as may be fixed by the Mayor of the City of Hoboken and two disinterested persons to be chosen by the proprietors of the railways (one by each party), or a majority of them.

SEC. 488. The track or tracks to be laid down for any railway shall be five feet two inches gauge, of the best and most approved pattern and description for city railways, and shall be approved by the Common Council, shall be such as to present the least obstruction in every respect to ordinary wagon travel, and calculated and laid to facilitate, as much as is practicable, the use thereof by ordinary wagons and vehicles.

SEC. 489. All persons driving vehicles on any street railway in the City in the direction that the cars travel on said roads shall have the right to the railway track when meeting any other vehicle going in the opposite direction; and the driver of the vehicle going in the opposite direction shall be compelled to turn entirely off the track, under a penalty of five dollars to be recovered before the Recorder.

SEC. 490. Whenever it shall be found necessary for the City of Hoboken to occupy all or any portion of any street or highway, whereupon a street railroad may be constructed, for the purpose of making improvements thereon, such as culverts, laying of water pipes or any other alteration or improvement that may from time to time be found necessary, the said City shall have full and entire power and authority to make such alteration or improvement without recourse on the part of the proprietor or proprietors of any railroad against the said City, for any obstruction or embarrassment that the said proprietor or proprietors of said railroad may meet with consequent upon such alteration or improvement; provided, however, that on the occasion of any alteration or improvement as hereinabove recited, directed to be done or to be performed by the authority of the Common Council, no unnecessary delay shall be made or caused in any manner that shall work prejudicially to the interests of the railroad company or proprietor or proprietors.

SEC. 491. For each and every violation of any of the foregoing provisions of this chapter to which a penalty is not hereinbefore attached such railroad company or other proprietor or proprietors of any railroad shall pay a penalty of fifty dollars, and for every continued violation of any of the provisions thereof, after notice by the Street Commissioner, the penalty shall be five dollars for each and every day the violation continues; and the Street Commissioner shall have authority, when directed by the Common Council, to stop the running of all cars upon any road whose company or proprietor or proprietors refuses or refuse to pay the penalties, or any of them, as provided in this ordinance.

SEC. 492. Nothing in this chapter contained, nor any grant of any right to lay a railway in the City of Hoboken, shall be deemed, construed or held in any way to impair the right of the Common Council to grant any right to lay or use any other railway whatsoever in the City of Hoboken; nor shall any grant by the Common

Council of any right or privilege to lay a railroad track or tracks in the City of Hoboken confer or be deemed, construed or held to confer any right to the grantees thereof to affect the grade of any street or highway, except by and with the consent and authority of the Common Council; but all railroad tracks shall be laid on the streets or highways at the established grade thereof, and shall be without delay taken up and relaid by the proprietor or proprietors thereof at his or their own expense and costs and without recourse to the City for any damages on account or by reason thereof, conformably to the grade of streets and highways through which the same shall be laid, upon the alteration by the Common Council of the grade of such streets and highways.

CHAPTER XXXVI.

RELATING TO THE USE OF BICYCLES, TRICYCLES, ETC.

SEC. 493. It shall be unlawful for any person or persons to ride a bicycle or tricycle or other vehicle in the limits of the City at a greater speed than at the rate of ten miles per hour, or to ride such vehicle or vehicles after one hour after sunset until sunrise without a lighted lamp attached thereto of sufficient illuminating power to be seen at least two hundred feet away, and without an alarm bell attached to the handle bar of such vehicle which when rung may be heard one hundred feet distant and which shall be rung not less than twenty-five feet before reaching any cross-walk.

SEC. 494. It shall be unlawful for any person or persons to use any bicycle, tricycle or similar vehicle, excepting carriages for the care of children, upon any sidewalk in the City; and it shall be unlawful for any person or persons while riding any bicycle or tricycle upon the public street, roads or highways of the City to carry on such bicycle or similar vehicle any child of tender years.

SEC. 495. It shall be unlawful for any person or persons to throw or cause to be thrown upon any sidewalk, street or roadway any ashes, cinders, glass, crockery, tinware, wire, tacks, nails or scrap iron or other substance of any nature likely to cause injury to travelers or pedestrians or to carriages, bicycles or other vehicles traveling or moving on such streets, highways or public roads, or which might disable or injure any horses or other animal, or which might injure, cut or puncture any pneumatic tire or tires of any bicycle or similar vehicle.

SEC. 496. That for the violation of any of the provisions or sections of this chapter, the person or persons so offending, upon complaint made by any person before the Recorder or acting Recorder of the City, shall upon being found guilty be subjected to a fine of five dollars for each and every offense.

SUPPLEMENTAL ORDINANCES.

AN ORDINANCE granting to the Jersey City, Hoboken and Rutherford Electric Railway Company (a street railway) a location of its tracks within the limits of the City of Hoboken, and the right and authority to so locate, construct and maintain the said tracks and its said railway, and to use, operate and maintain thereon cars propelled by electricity or electric motors instead of horses, and to erect, construct, string, place and maintain the poles, wires and other necessary appurtenances for the purpose of operating said railway, and prescribing the manner in which and the places where such poles shall be located and the manner in which the wires shall be strung thereon.

The Mayor and Council of the City of Hoboken do ordain as follows:.

SECTION 1. That the location of the tracks of the Jersey City, Hoboken and Rutherford Electric Railway Company in the part of the streets hereinafter named in the City of Hoboken shall be conformably to the route mentioned in said petition and designated in the articles of incorporation of said company and its amended certificate of incorporation, that is to say: Commencing at the intersection of the Paterson plankroad and the boundary line between Jersey City and the City of Hoboken; thence running (1) easterly along said Paterson plankroad in the City of Hoboken to its intersection

with First street; thence (2) southeasterly along First street in the City of Hoboken to its intersection with River street; thence (3) southwesterly along River street to its intersection with Newark street or avenue; thence (4) easterly along Newark street to the Hudson river.

Then commencing again at the intersection of River and First streets and running thence (1) northerly along River street to its intersection with Second street; thence (2) northwesterly and along Second street to its intersection with Harrison street; thence (3) southwesterly and along Harrison street to its intersection with First street.

SEC. 2. That there shall be a single track laid in First, Second, Harrison, Newark and River streets as described in this ordinance, excepting in River street between Newark and First streets where there shall be a double track.

SEC. 3. That said tracks and the appurtenances thereof shall be located, laid and constructed in said streets or parts of streets as hereinbefore mentioned conformable to and as shown on a map entitled "Map showing the location of tracks, poles and other appurtenances of the Jersey City, Hoboken and Rutherford Electric Railway Company in the City of Hoboken as located and prescribed under and by virtue of an ordinance entitled 'An ordinance granting to the Jersey City, Hoboken and Rutherford Electric Railway Company (a street railway) a location of its tracks within the limits of the City of Hoboken and the right and authority to so locate, construct and maintain the said tracks and its said railway, and to use and operate and maintain thereon cars propelled by electricity or electric motors instead of horses, and to erect, construct, string, place and maintain the poles, wires and other necessary appurtenances for the purpose of operating said railway; and prescribing the manner in which and the places where such poles shall be located and the manner in which the wires shall be strung,'" bearing date November twenty-seventh, eighteen hundred and ninety-five, and filed with

the Clerk November twenty-seventh, eighteen hundred and ninety-five.

SEC. 4. That in case the propelling power shall be electric motors supplied with electricity from overhead wires, the poles thereof shall be located on the sidewalks adjacent to and within the curb lines and at such places as indicated and shown on the map hereinafter mentioned, and shall be of tubular iron thirty feet in length, sunk six feet below the curb, secured by concrete and painted with two coats of good water-proof paint. To these poles there shall be attached, with not less than two half-inch bolts, span clamps of soft steel not less than one and one-half inches by three-sixteenths of an inch in size; they shall be set on the poles so as to bring the trolley wire at a height of not less than seventeen feet above the surface of the street. To each span clamp shall be attached a strain insulator with at least three inches take-up; and at distances not to exceed two thousand feet along the line there shall also be attached an additional strain insulator so as to furnish double insulation for the span wires at these points. All span wires shall be of galvanized iron wire not less than three-eighths of an inch in diameter and of seven strands. The trolley wire attached to said span wires shall not be less than O hard drawn copper and not less than 98 per cent. conductivity. The feed wires shall be supported on glass insulators and shall be so strung that the said wire shall in no place be less than seventeen feet above the sidewalk, and at all places where it is necessary to make joints or connections shall be wrapped with okronite or some other insulating tape equally as good. All necessary anchors shall be of number three white galvanized Swedish iron, sustained or connected by insulators. The line when finished shall present a neat and workmanlike appearance, all poles be evenly raked, wires straight and free from kinks or bends, the span wires of uniform sag and trolley wires pulled up straight.

SEC. 5. Said company shall pave with Belgium

blocks, not exceeding forty-two to the square yard, or, if required by the City, with such other pavement as the City may place from time to time in such street, and keep and maintain in good repair all that part of the carriage way of the street in which its tracks shall be laid lying between the outer rails of its track or tracks and to the extent of eighteen inches beyond the said outer rails on said tracks; said pavement and all repairs thereof to be laid with sharp sand.

SEC. 6. All rails to be laid shall be of a pattern to be approved by the Committee on Streets of said Council, and shall be so laid as not to project above the street grade; and said rails shall be laid and said posts or poles erected and said paving executed under the supervision and to the satisfaction of the said Committee on Streets.

SEC. 7. That said company shall immediately after every snow-storm remove the snow falling upon their tracks in a manner satisfactory to the said Committee on Streets, and the chairman of said committee shall have the right to require said company to remove the snow falling upon its said tracks entirely off of the line of any street; and in case said company shall fail to commence to remove such snow from any such street within six hours after receiving notice in writing from said chairman, and thereafter to remove the same with all possible dispatch, the City shall have the right to remove the same at the expense of the company, and the same shall be repaid to the City on demand, and the certificate of the chairman of said committee shall be conclusive evidence of the costof such removal; and the notice above mentioned may be left at the office of the company at its terminus in the City of Hoboken.

SEC. 8. That the City shall have the right from time to time to make reasonable regulations governing the speed of cars, the manner of stoppage thereof and the number of cars in a train.

SEC. 9. That no freight cars shall be operated or run upon said railway within the limits of the City of

Hoboken, but this limitation shall not be so construed as to prevent the carriage or transportation of parcels, packages, express, mail matter or personal effects or supplies to be used by said company.

SEC. 10. That if said company shall consolidate with or lease or be leased to any other railway or traction company within the limits of the City of Hoboken then transfer tickets shall be issued for a continuous ride interchangeably between said lines for one rate of fare of five cents to or from any point within the City of Hoboken upon the lines so consolidated or leased.

SEC. 11. That in case of fire the Fire Department of the City shall have the right, without notice and without compensation, to cut or remove any overhead wires of said company for the purpose of more readily and safely extinguishing said fire.

SEC. 12. That the City shall have the right to construct and repair, or cause to be constructed and repaired, in any part of such streets so designated as aforesaid, any sewer, water pipe, gas pipe or other underground conduit, and also to repair, alter, widen, change the grade of, or otherwise improve such streets, and all expenses attending the removal and replacing of the tracks and appurtenances of said company, for the purpose of making such improvements or repairs, shall be borne by said company and not by the City.

SEC. 13. That said company shall pay all taxes which may be lawfully imposed upon it and its property in the City of Hoboken from time to time.

SEC. 14. That any injury or damage done or occasioned in the construction of said railway to any sewer in any of the aforesaid streets or parts of streets, shall be repaired by said company at its cost and expense.

SEC. 15. That all the cars of said company shall be provided with fenders of the most approved pattern.

SEC. 16. That said railway shall be completed on or before the first day of December, eighteen hundred and ninety-seven, provided, however, that the time of the company to construct its said tracks and the neces-

sary poles, wires and appurtenances for operating said road shall be extended by any period during which it may be prevented or delayed by legal proceedings or causes beyond its control.

SEC. 17. That said location, together with the right, power and authority to locate, construct and maintain thereon its tracks and its said railway as herein provided, and the right, power and authority to use, operate and maintain thereon cars propelled by electricity or electric motors instead of horses, and to erect, construct, place and maintain the poles, wires and other necessary appurtenances thereto for the purpose of operating said railway, as also hereinbefore provided, are hereby granted to the said The Jersey City, Hoboken and Rutherford Electric Railway Company, its successors and assigns.

SEC. 18. That said company shall, within thirty (30) days after its said railway is completed and in operation in said streets or parts of streets hereinbefore mentioned in the City of Hoboken, pay to the Mayor and Council of said City, as compensation for the rights, powers, privileges and authority by this ordinance granted and conferred, the sum of twenty thousand dollars, and said company shall thereafter be exonerated and discharged from the payment of any further or other compensation to or imposition by the Mayor and Council of said City; except as provided in section thirteen of this ordinance.

SEC. 19. That said company shall, within thirty days after the adoption of this ordinance, file with the Clerk of the City of Hoboken a written acceptance of the provisions, terms and conditions of this ordinance, executed in due form, under the corporate seal, and signed by its president and secretary, and a failure so to do within the time aforesaid shall be deemed and taken as a refusal so to do on the part of said company, and all rights and privileges to it hereby granted shall cease and be at an end.

Passed April 8, 1896.

J. H. TIMKEN,
Chairman of the Council.

AN ORDINANCE, granting permission and authority to the North Hudson County Railway Company to change the motive power used on its railways and granting said company permission to use electric power as the propelling power of its cars on its railways, and to erect poles on certain roads, streets, avenues or places for the purpose of stringing wires thereon necessary to operate its railways with electric power and to lay and relay street railway tracks in certain roads, streets, avenues or places, and to construct, maintain and operate a street railway by the overhead electric system, and locating the tracks of the said street railway in said roads, streets, avenues or places, and determining and fixing the places at which poles shall be located in the said roads, streets, avenues or places to support wires for the purpose of conducting electricity for the propulsion of its cars upon all of its railways to be constructed, operated and maintained under the provisions of this ordinance.

BE IT ORDAINED by the Mayor and Council of the City of Hoboken and the said Mayor and Council of the City of Hoboken do hereby ordain as follows:

SECTION 1. That the permission and consent of the municipality of said City of Hoboken is hereby given to the said North Hudson County Railway Company and the said railway company be and it hereby is permitted and authorized to use electric power as the propelling power of its cars upon the following streets, avenues or places in the said City and upon which it is now operating or controlling a street railway, to wit: On Hudson place from the westerly line of the land now or late of the Hoboken Ferry Company, lying at the foot of Hudson place to Hudson street; on Hudson street, from Hudson place to Newark street; on Newark street, from Hudson street to Washington street; on Washington street, from Ferry street to Fourteenth street; on Fourteenth street, from Willow avenue to the westerly line of the land now or late of the Hoboken Ferry Company; on Willow avenue or street, from Fourteenth street to a point one hundred and fifty feet north

of fourteenth street; on Ferry street, from Washington street to the right of way of the North Hudson County Railway Company east of Hudson street, and thence on said right of way to the westerly line of land now or late of the Hoboken Ferry Company; on Newark street, from Washington street to Willow street or avenue; on Newark avenue, from Willow street or avenue to the right of way of your petitioner at the north end of Grove street; thence on said right of way to the City line; on Ferry street, from Paterson avenue to Washington street; on Paterson avenue, from Ferry street to the right of way of your petitioner leading to the elevator leading to Jersey City Heights, and along the said right of way to the Hoboken City line; on Willow street or avenue, from Ferry street to Fourteenth street; also connections with the car-house of said railroad company situate on Ferry street between Garden and Bloomfield streets; on Second, from Willow street or avenue to Marshall street; on Marshall street, from Second street to the right of way of said railway company leading to the old elevator; and permission and authority are hereby given to said railway company to relay all of the present railway tracks in the streets, avenues and places aforesaid, within new rails upon their present location of said streets, avenues and places, and so that the gauge of the said track shall be when relaid four feet eight and one-half inches, and when so relaid shall not project above the established grade of the said streets, avenues and places, nor above the surface thereof as the same are now or may be hereafter constructed and paved

SEC. 2. And be it further ordained that consent and permission are hereby given to the said North Hudson County Railway Company to construct, operate and maintain a single track street railway, to be operated by electric motors supplied with electric power from overhead wires strung on poles, said railway to be what is commonly known as a "trolley railway," the tracks of which shall be of girder rail construction on wooden cross ties, and to be constructed on the best and latest plans and

appliances governing the construction of such a system, on the following roads, streets, avenues and places in the said City, viz: On Clinton street, from Newark avenue to Eleventh street; on Eleventh street, from Clinton street to Willow avenue or street; on Hudson place, from Hudson street to River street; on Hudson street, from Ferry street to Hudson place, and that the railway tracks to be laid, constructed and maintained as aforesaid in the said streets, avenues and places, shall be so constructed that the gauge of said track shall be when laid four feet eight and one-half inches and shall not project above the established grade of said streets, avenues and places, nor above the surface thereof, when the same are constructed and paved.

SEC. 3. And be it further ordained that the location of the tracks of the said The North Hudson County Railway Company upon the routes above described and herein set forth, including the tracks to be relaid, shall be the same as shown and designated and described upon maps filed in the office of the City Clerk of the said City of Hoboken by the said North Hudson County Railway Company on the 23d day of September and the 14th day of October, 1896, and which said maps are lettered respectively A, B, C and D and are each signed by Charles B. Brush & Co., Engineers and Surveyors, maps A, B and C being dated respectively January 31, 1896, map D being dated October 14, 1896, and the said locations as they are therein and thereon set forth and designated are hereby fixed and determined as the true location of the tracks of the said railway company in the said roads, streets, avenues and places at which poles shall be located for the support of wires to conduct the electricity for the propulsion of cars within the limits of all of said roads, streets, avenues and places are hereby fixed and determined to be the place or places designated and described in and on the said maps for the location of poles, and reference is hereby made to the said maps for the more definite description of the same, and the said maps are hereby made a part of this ordi-

nance, and the said City Clerk is hereby ordered and directed to cause the said maps to be filed and directed as a part of the records of the said City of Hoboken and shall hereafter remain in his office of record. That the poles to be erected under the provisions of this ordinance shall be of tubular iron and shall be placed as shown upon the aforesaid maps inside of and abutting against the curb of said roads, streets, avenues or places, and shall not occupy, at any point above the surface of the sidewalks thereof, a space for each pole of more than ten inches in diameter. The foot of each pole shall be buried in the earth to a depth of at least four feet from the surface of said sidewalks and packed in concrete below said surface, and shall not extend in height from the established grade of any of the said roads, streets, avenues or places more than twenty-five feet nor less than seventeen feet, and shall stand, when wires are strung thereon, as nearly vertical as will be practicable, and all of said poles shall be of sufficient strength to withstand double the amount of strain to which they will be subjected. All wires, including span wires, trolley wires and feed wires, which shall be strung upon the said poles are to be strung in the following manner: The supporting or span wires shall be strung from opposite poles upon the said roads, avenues, streets and places, and shall be of galvanized twisted iron cable and fastened to each pole by substantial soft steel clamps, and shall be thoroughly insulated and at least seventeen feet above the established grade of the said roads, streets, avenues and places, and the same distance above intersecting streets, avenues or places. All feed wires shall be strung longitudinally from pole to pole to be thoroughly insulated and securely fastened to each of said poles by means of iron cross arms placed at the top of said poles and not less than twenty feet from the established grade of said roads, streets, avenues and places, and the same distance above intersecting streets, avenues and places, provided that where there is an artificial obstruction which shall prevent said feed wires

from being suspended the said distance above said grade and in the manner herein provided, then the same shall be suspended under such artificial obstruction and as near thereto as shall be found safe and convenient to the public travel on said roads, streets, avenues and places and the uses of said obstruction. All trolley wires shall be suspended from the span or supporting wires and placed over the centre of each set of tracks, switches, cross-overs and turnouts which may be laid in the said roads, streets, avenues and places herein designated, and shall be fastened to the said span or supporting wires by good and sufficient insulators and shall be at all points suspended as aforesaid at not less than seventeen feet above the established grade of said roads, streets, avenues and places and intersecting roads, avenues and places, provided that where there is an artificial obstruction which would prevent any of the said wires from being suspended the distance above the grade of the said roads, streets, avenues and places in the manner hereinbefore specified, then the same shall be suspended under such artificial obstruction and as near thereto as may be found safe and convenient to the public travel on said roads, streets, avenues and places and to the uses of the said obstruction. To each span wire there shall be attached a strain insulator with at least three inches take-up and at a distance not to exceed two thousand feet along the line there shall also be attached an additional insulator so as to furnish double insulation for the span wires at those points. All span wires shall be not less than three-eighths of an inch in diameter and of seven-strand galvanized steel wire.

All trolley wires shall be not less than O hard drawn copper and of not less than ninety-eight per cent. conductivity. The feed wires shall be supported on glass insulators and at all points where it is necessary to make joints or connections shall be wrapped with okronite or some other standard insulating tape equally as good. All anchor wires shall be No. 3 galvanized

Swedish iron sustained or connected by insulators, and the entire lines when finished shall present a neat and workmanlike appearance, and all poles shall rake evenly, wires shall be straight and free from kinks or bends, the span wires of a uniform sag, and all trolley wires pulled up tight.

SEC. 4. That in case of fire the Fire Department of the said City shall have the right, without notice, to cut or remove any of the aforesaid wires for the purpose of more readily and safely extinguishing any fire or fires in said City and that the said railway company will not make any claim upon the said City by reason of said wires being cut for the purposes aforesaid.

SEC. 5. The said railway company shall pave with Belgium block and keep and maintain in good repair all that part of the carriage way of the roads, street, avenues or places in which its tracks shall be laid laying between the outer rail of its tracks or track and to the extent of eighteen inches beyond said outer rail on each track, and said paving and all repairs thereof shall be laid with sharp sand. And the said railway company shall operate its road so that cars will be run without change and on regular intervals of time of not less than six minutes between the hours of six a.m. and nine p. m. between the ferries at the foot of Hudson place and Fourteenth street in said City.

SEC. 6. Be it ordained that the said North Hudson County Railway Company shall file with the City Clerk of the said City of Hoboken its acceptance of this ordinance within twenty days from the date upon which it shall be adopted.

Passed March 14, 1897.

EDW. OFFERMANN,
Chairman of the Council.

Approved April 19, 1897.

Attest:

M. V. McDERMOTT,
City Clerk.

AN ORDINANCE TO PROVIDE FOR THE APPOINTMENT OF A PARK KEEPER FOR ELYSIAN SQUARE.

The Mayor and Council of the City of Hoboken do ordain as follows:

1. That there shall be appointed by the Council annually a park keeper who shall have general care and control over the public square known as Elysian Square, under the superintendence of the Committee on Public Grounds and Buildings, and who shall receive the sum of seven hundred dollars per year for his services, payable monthly.

2. All ordinances and parts of ordinances inconsistent herewith be and they are hereby repealed.

AN ORDINANCE FIXING THE TAX RATE IN THE CITY OF HOBOKEN.

WHEREAS, An ordinance was duly passed by the Mayor and Council of the City of Hoboken in the year 1878 fixing the tax rate in the City at a rate not to exceed one and one-half per centum for municipal purposes, which ordinance was not written in the ordinance book at the time and has since been mislaid, and for the purpose of properly establishing the said tax rate,

The Mayor and Council of the City of Hoboken do ordain as follows:

1st. That the rate of taxation for municipal purposes in the City of Hoboken shall not exceed one and one-half per centum.

2d. That all ordinances and parts of ordinances inconsistent with the provisions of this ordinance be and they are hereby repealed.

AN ORDINANCE REPEALING AN ORDINANCE ENTITLED "AN ORDINANCE PRESCRIBING THE DUTIES OF THE POUNDKEEPER," APPROVED JULY 6, 1855, AND THE SUPPLEMENTS AND AMENDMENTS THERETO, AND REPEALING AN ORDINANCE ENTITLED "AN ORDINANCE TO APPOINT A POUNDKEEPER OF THE CITY OF HOBOKEN AND TO ESTABLISH A PUBLIC POUND IN SAID CITY," APPROVED JUNE 16, 1870, AND REPEALING AN ORDINANCE ENTITLED "AN ORDINANCE TO APPOINT A POUNDKEEPER, TO PRESCRIBE HIS DUTIES AND TO ESTABLISH A PUBLIC POUND IN THE CITY OF HOBOKEN," APPROVED FEBRUARY 2, 1876, AND PROVIDING FOR THE CONTROL OF THE PUBLIC POUND AND POUNDKEEPER BY THE BOARD OF HEALTH.

The Mayor and Council of the City of Hoboken do ordain as follows:

1. That the ordinance entitled "An ordinance prescribing the duties of the poundkeeper," approved July 6, 1855, and the several supplements and amendments thereto, and the ordinance entitled "An ordinance to appoint a poundkeeper of the City of Hoboken and to establish a public pound in said City," approved June 16, 1870, and the ordinance entitled "An ordinance to appoint a poundkeeper, to prescribe his duties and to establish a public pound in the City of Hoboken," approved February 2, 1876, be and the same are hereby repealed.

2. That the control and jurisdiction over the subject of the public pound and poundkeeper and all matters relating thereto be and the same are hereby vested in the Board of Health of the City of Hoboken.

3. That all ordinances and parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

AN ORDINANCE TO LICENSE ANY PERSON OR PERSONS CONDUCTING OR INTENDING TO CONDUCT ANY SO-CALLED AUCTION, BANKRUPT OR FIRE SALES.

The Mayor and Council of the City of Hoboken do ordain as follows:

SECTION 1. That any person or persons, not bona fide residents of this City, conducting or intending to conduct any so-called auction, bankrupt or fire sales within the limits of this City shall file with the Clerk of said City a petition setting forth the name or names and residence of the person or persons who are the owners thereof, the manner of business intended to be carried on and the street number where such business is conducted or intended to be conducted.

SEC. 2. That the said Council, upon being satisfied that the person or persons so applying is or are fit and proper person or persons to conduct such sale, may, by resolution of the majority of the whole number concurring therein and approved by the Mayor according to the provisions of the City Charter, grant a license for the term of one year to the person or persons so applying for the same upon payment of the fees and costs hereinafter mentioned.

SEC. 3. The following fees and costs shall be charged to and paid by the person or persons applying for such license under the provisions of this ordinance, to wit: To the said City for said license the sum of one hundred dollars, and to the City Clerk of said City, for drawing such license, the sum of two dollars.

SEC. 4. That if any person or persons shall conduct or cause to be conducted within said City any such sale as set forth in the first section of this ordinance without having first obtained a license according to the provisions of this ordinance, shall be liable to pay a penalty of twenty dollars for each and every offense.

AN ORDINANCE TO VACATE THIRD STREET, EAST OF RIVER STREET, IN THE CITY OF HOBOKEN.

WHEREAS, The parcel of land about eighty (80) feet in length by seventy (70) feet in width, lying east of River street in the City of Hoboken, in a line with what would be Third street if extended, is wholly within the lines of property of North German Lloyd Dock Company, excepting where it adjoins River street, and the public of the City of Hoboken have no practical use or interest in the said extension;

Therefore, be it ordained by the Mayor and Council of the City of Hoboken, as follows:

1. That so much of Third street as exists east of the easterly line of River street be and the same is hereby vacated as a street.

2. This ordinance shall take effect immediately.

Passed April 10, 1901.

CHAS. SCHULTZE,
Chairman of the Council.

Approved April 22, 1901.

LAWRENCE FAGAN,
Mayor.

Attest:
JOHN HAGGERTY,
City Clerk.

AN ORDINANCE TO AUTHORIZE THE MAKING AND EXECUTING OF A CONTRACT ON BEHALF OF THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN WITH THE NORTH GERMAN LLOYD DOCK COMPANY, A CORPORATION OF NEW JERSEY, REGARDING THE BUILDING OF A PIER AT THE FOOT OF FOURTH STREET, EXTENDED.

WHEREAS, The North German Lloyd Dock Company is the owner of the lands under water in front of Fourth street, extended, in the City of Hoboken; and

WHEREAS, The said Company, in the rebuilding of its plant, recently destroyed by fire, finds it necessary by reason of the increased size of the steamships required by the necessities of modern ocean service and the necessities of its business, to have a wider water space between piers than was formerly required, and is desirous of building its northerly pier to the full width of Fourth street, extended; and

WHEREAS, It is advisable, in the general interests of commerce and the development of the business interests of the City of Hoboken, that all proper accommodation should be given to the said Company, consistent with the City's interest;

Therefore, be it ordained by the Mayor and Council of the City of Hoboken as follows:

That the Corporation Attorney be and he is hereby directed to prepare a contract, and the Mayor to execute the same in behalf of the City under the Seal of the City, and attested by the City Clerk, with North German Lloyd Dock Company, permitting said Company to build, erect and maintain upon its lands under water at the foot of Fourth street, extended, in the City of Hoboken, any buildings or piers or other structures necessary for the carrying on of its business,

and providing that it shall not be necessary to keep the said lands under water open as berths for vessels or otherwise.

2. This ordinance shall take effect immediately.

Passed April 10, 1901.

CHAS. SCHULTZE,
Chairman of the Council.

Approved April 22, 1901.

LAWRENCE FAGAN,
Mayor.

Attest:
JOHN HAGGERTY,
City Clerk.

AN ORDINANCE TO AUTHORIZE THE MAKING AND EXECUTING OF A CONTRACT ON BEHALF OF THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN WITH THE NORTH GERMAN LLOYD DOCK COMPANY, A CORPORATION OF NEW JERSEY, PROVIDING FOR A CHANGE OF LOCATION OF THE THIRD STREET SEWER OUTLET ALONG AND EAST OF RIVER STREET IN THE CITY OF HOBOKEN.

WHEREAS, The outlet to the Third street sewer has long been in a state of decay and a menace to health, and in need of reconstruction; and

WHEREAS, The North German Lloyd Dock Company is about to rebuild its piers and finds it necessary for the proper construction of said piers that the outlet to the said sewer should be removed further north, and for that purpose is willing to undertake the construction of the said outlet at its own cost and expense;

Therefore, be it ordained by the said Mayor and Council of the City of Hoboken:

That the Corporation Attorney prepare and that the Mayor, in behalf of the City, execute under the Seal of the City, duly attested by the City Clerk, an agreement with North German Lloyd Dock Company, providing that said Company may, at its own cost and expense, change the location of the Third street sewer and its outlet as follows: From a point in the Centre line of River street at its intersection with the present outlet sewer in Third street, and thence running northerly along the centre line of River street to a point about opposite the centre of Pier No. 2, distant about three hundred and twenty-four (324) feet south from the southerly line of Fourth street, and thence easterly and parallel to the southerly line of Fourth street, across the property of said Company to the tide water of the Hudson river. Said agreement to provide that the sewer, when so changed, shall be subject to the terms and conditions set out in the agreement bearing date June twelfth, eighteen hundred and sixty-six, between The Hoboken Land and Improvement Company and the Mayor and Council of the City of Hoboken.

2. This ordinance shall take effect immediately.

Passed April 10, 1901.

CHAS. SCHULTZE,
Chairman of the Council.

Approved April 22, 1901.

LAWRENCE FAGAN,
Mayor.

Attest:

JOHN HAGGERTY,
City Clerk.

AN ORDINANCE PROVIDING FOR THE EXECUTION OF A CONTRACT WITH THE NORTH GERMAN LLOYD DOCK COMPANY FOR THE DOCKING, BERTHING, LOADING AND UNLOADING ITS VESSELS.

WHEREAS, A grant of the lands under water in front of Hudson Park, extending one hundred (100) feet north of the northerly line of Fourth street, extended, has been heretofore made by the Riparian Commissioners of the State of New Jersey, for the purpose of docking, berthing, loading and unloading vessels upon or over the same, which said grant is held and owned by The North German Lloyd Dock Company, and said North German Lloyd Dock Company has acquired the rights in said lands under water of the Hoboken Land and Improvement Company, the owner of the fee of the soil in said Hudson Square or Park; and

WHEREAS, Said North German Lloyd Dock Company desire that a contract be entered into for the use of said part of said lands under water in front of Hudson Square for the purposes of docking, berthing, loading and unloading vessels, and in the judgment of the Mayor and Council of the City of Hoboken it seems wise and for the promotion of the business and laboring interests of the City to assist said Company in completing its plant as early as possible, and to that end that such a contract be entered into;

Therefore, be it ordained by the said Mayor and Council of the City of Hoboken as follows:

That the Corporation Attorney prepare and that the Mayor, in behalf of the City, execute under the Seal of the City, duly attested by the City Clerk, a contract with The North German Lloyd Dock Company, conveying to said Company the right to use the said lands under water for the purposes of docking, berthing, loading and unloading vessels, and to dredge out to a depth of water sufficient and suitable for that purpose, and to maintain

it at such depth of water, such right to continue for the period of nine hundred and ninety-nine (999) years; provided such company, their successors or assigns, shall maintain upon the lands adjoining said lands on the south thereof docks, wharves and piers suitable for docking, berthing, loading and unloading ocean-going vessels, said contract to contain a provision that no buildings or other structures shall be erected on the said lands under water in front of Hudson Park which shall in any way obstruct or interrupt the view or public access to the water from any part of said square or park.

2. This ordinance shall take effect immediately.

Passed April 10, 1901.

CHAS. SCHULTZE,
Chairman of the Council.

Approved April 22, 1901.

LAWRENCE FAGAN,
Mayor.

Attest:
JOHN HAGGERTY,
City Clerk.

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE GIVING CONSENT TO AND AUTHORIZING THE HOBOKEN RAILROAD, WAREHOUSE AND STEAMSHIP CONNECTING COMPANY TO MAKE, ERECT, MAINTAIN AND OPERATE A RAILWAY PROPELLED BY ELECTRICITY, ON CERTAIN STREETS AND AVENUES IN THE CITY OF HOBOKEN, AND ALSO TO ERECT POLES ON CERTAIN STREETS AND AVENUES IN THE CITY OF HOBOKEN, FOR THE PURPOSE OF STRINGING WIRES THEREON NECESSARY TO OPERATE ITS RAILWAY WITH ELECTRIC POWER."

WHEREAS, The Hoboken Railroad, Warehouse and

Steamship Connecting Company, and Campbell & Company, the owner of the property upon which the said railroad has its terminal south of Fourth street, have agreed to sell to North German Lloyd Dock Company a piece of land at the foot of Fourth street, which will be necessary for the contemplated improvements of said North German Lloyd Dock Company; and

WHEREAS, The sale of said land will necessitate the removal of said railroad from its present terminal to one adjoining the same upon the west thereof; and

WHEREAS, In order for said railroad to obtain access to its new terminal, it will be necessary to re-locate the line of said railroad over the southerly part of the paved roadway, and across the easterly end of Fourth street; and

WHEREAS, The same, in the judgment of this Council, will be for the benefit of the inhabitants of the City of Hoboken;

Therefore, the Mayor and Council of the City of Hoboken do ordain as follows:

1. That the consent of the municipality of said City of Hoboken is hereby given to the said Hoboken Railroad, Warehouse and Steamship Connecting Company, and the said Hoboken, Railroad, Warehouse and Steamship Connecting Company is hereby authorized to change the location of its railroad as follows:

Beginning at a point on the centre line of said railroad track of said Hoboken Railroad, Warehouse and Steamship connecting Company, as defined in an ordinance entitled "An ordinance giving consent to and authorizing the Hoboken Railroad, Warehouse and Steamship Connecting Company to make, erect, maintain and operate a railway propelled by electricity on certain streets and avenues in the City of Hoboken, and also to erect poles on certain streets and avenues in the City of Hoboken, for the purpose of stringing wires thereon necessary to operate its railway with electric power," approved October 30, 1895, said beginning point being distant 128.60 feet northerly at right angles from the southerly

line of Fourth street, extended, and 239.50 feet easterly at right angles from the easterly line of River street; thence running in a southwesterly direction and curving to the right on a circular curve with a radius of 150 feet, a distance of about 154,5 feet to a point in the southerly line of Fourth street, extended, distant 166.72 feet easterly from the easterly line of River street; thence southerly along private property.

The said track to be so constructed along said line to be a single track, and to the elevation of Fourth street where the described lines intersect the northerly line of Fourth street, extended, and from this point descending by uniform grade to meet the present levels of the track and street as they exist in front of the centre of Hudson Square Park.

The grade of the track south of the point where it crosses the northerly line of Fourth street, extended, to be level.

The surface of the street is to be properly restored and the track properly paved by said railroad company, and is to be laid with a guard rail on each rail of the track from the beginning of the curve southerly to the first pair of switches, and the said railroad company, at its own expense, is to do such other work as may be necessary to build the track on the lines proposed, and to make the street safe for traffic.

Poles for the support of wires, hangers, pull-offs, guys and anchors shall be located as follows:

There shall be one pole on the westerly side of the paved roadway in front of Hudson Square Park, twelve (12) feet north of Fourth street, extended; one pole on the northerly side of Fourth street, extended, thirty (30) feet west of the paved roadway; one pole at the northerly line of Fourth street, extended, adjoining the stone wall, forty-five (45) feet east of Hudson Square Park; one pole adjoining the said stone wall, twenty (20) feet south of the northerly line of Fourth street, extended, and another pole adjoining said stone wall, thirty (30) feet southwesterly from the last mentioned pole.

All of the same to be subject to the provisions and regulations of the said ordinance, to which this ordinance is an amendment.

2. This ordinance shall take effect immediately.

Passed April 10, 1901.

CHAS. SCHULTZE,
Chairman of the Council.

I hereby certify that the above ordinance was passed by the Council of the City of Hoboken on the 10th day of April, 1901, was vetoed by the Mayor of said City, and was passed over the said veto on the first day of May, 1901.

Dated May 2, 1901.

JOHN HAGGERTY,
City Clerk.

Attest:
JOHN HAGGERTY,
City Clerk.

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